

**PROSPECT HEIGHTS SCHOOL DISTRICT 23
BOARD OF EDUCATION - REGULAR MEETING
WEDNESDAY, DECEMBER 14, 2016
GRODSKY ADMINISTRATION CENTER at 7:00 PM**

Achieving excellence in learning through an equitable education for all.

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

I. RECOGNITION OF VISITORS AND VISITOR PARTICIPATION

In an effort to keep Board meetings to a reasonable length, we ask visitors to make all statements regarding agenda items or other issues at this time.

II. COMMUNICATIONS

A highlight is the letter from a Veteran who attended MacArthur's celebration.

- A. District 214 Letter Regarding Redefining Ready! 6
- B. Mt. Prospect Public Library Board Letter of Invitation 7
- C. Letter of Appreciation from Veteran for Veterans' Day Presentation 8
- D. Thank You Letter from Special Olympics Illinois 9
- E. Notes of Appreciation from Staff 10

III. COMMITTEE REPORTS

- A. Building and Sites 11
Jim will report.
- B. I.A.S.B./ED-RED
Carol will report.
- C. Policy 12
Martha will report.
- D. School/Community Relations
No report from the committee. I will provide an update on the status of the survey.
- E. N.S.S.E.O.
Carol will report.
- F. Finance 87
Jeff will report.
- G. Negotiations
No report.

IV. CONSENT AGENDA

I move to approve the consent agenda as presented.

- A. Approval of Regular Meeting Minutes of November 9, 2016 88
- B. Approval of Executive Session Minutes of November 9, 2016 96
- C. Approval of Personnel Report 98
- D. Approve Annual Immunization Compliance Report 101
- E. Approval of Posting and Submission of Annual Statement of Affairs per 105 ILCS 5/10-17 102

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- F. Approval of IMPACT Papercut Software and Service Upgrade Agreement 116
- G. Approval of Suburban School Cooperative Insurance Pool Invoice for Liability and Property Inasurance 117
- V. **FINANCIAL REPORT**
- I move to approve the financial report as presented.**
- A. Approval of Financial Report
- VI. **PUBLIC HEARING REGARDING 2016 TAX LEVY** 118
- President: “On November 9, 2016 the Board of Education adopted an estimated tax levy for 2016 as developed by the Finance Committee. At this time the Board wishes to conduct a Truth-in-Taxation Public Hearing for the purpose of allowing anyone to address the Board regarding the 2016 Certificate of Tax Levy.”**
- OPENING: “May I please have a motion to open the Public Hearing on the 2016 Certificate of Tax Levy?”**
- Motion: I move to open the Public hearing on the 2016 Certificate of Tax Levy.**
- Moved: _____ Seconded: _____ Time: _____ Voice Vote: _____**
- PRESIDENT: “Is there anyone who wishes to address the Board?”**
- CLOSING: “May I please have a motion to close the Public Hearing on the 2016 Certificate of Tax Levy?”**
- Motion: I move to close the Public Hearing on the 2016 Certificate of Tax Levy.**
- Moved: _____ Seconded: _____ Time: _____ Voice Vote: _____**
- VII. **SUPERINTENDENT'S REPORT**
- A. Adoption of 2016 Tax Levy (**ACTION**) 123
- Micheal will have made the levy presentation during the Public Hearing. At this point in the agenda we need to make the motion to approve the tax levy, unless Board members have further questions.**
- Motion: I move to approve the 2016 Tax Levy as presented.**
- B. Adoption of Resolution for Supplemental Tax Levy for Bond Payments (**ACTION**) 131
- Annually the Board must pass this resolution until the Bonds are paid in full.**
- Motion: I move to approve the Resolution for the Tax Levy for Bond and Interest Payments.**
- C. Approval of Prospect Heights Metropolitan Water Reclamation District (MWRD) Project (**ACTION**) 141

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The question of liability has been addressed. The Village of Prospect Heights has been advised by their insurer that indemnification of the school district for a detention basin is allowable and common. It would be structured through an intergovernmental agreement. We will proceed with the intergovernmental agreement.

Motion: I move to approve the Prospect Heights Metropolitan Water Reclamation District Project.

- D. Approval of FY18 - FY 20 Student Transportation Bid Award (**ACTION**) 142

The bid process resulted in only one bidder which was First Student, our current transportation provider. The original bid was over 40% in the first year and 3% in the subsequent two years. Our final negotiated rate resulted in a cost increase of 26% in year one and 2.50% in the last two years. The large increase in year one is directly related to our inability to partner with District 214, as they are moving to an earlier start time. We continue to partner with District 21.

Motion: I move to accept the transportation bid from First Student as presented.

- E. District 214 Partnerships (**INFORMATION**) 143

District 214 extended an offer to partner on a STEM project. D214 will pay for the costs to renovate our current Industrial Tech area. In return their students who participate in the Wildstang Robotics program will use the facility in the evenings from 5:30 - 8:30 and on Saturday's during their competition season. Eventually D214 will develop a class for 7th and 8th grades to gain high school credit in the area of robotics. The intention of the class is that it will become part of a career pathway.

Our second opportunity to partner with District 214 is in the area of their education pathway. They are offering a state of the art kindergarten classroom at Wheeling. We would supply the teacher and the students. They would use the kindergarten classroom and their early childhood classroom for their students who are planning on attending college to become teachers. This is an opportunity that will benefit our instructional programming and provide relief in terms of space at Eisenhower.

- F. Freedom of Information Act Requests (FOIA) (**INFORMATION**)

1. Illinois Retired Teachers Association FOIA Request 148

VIII. RECOGNITION OF VISITORS AND VISITOR PARTICIPATION

In an effort to keep Board meetings to a reasonable length, we ask visitors to make all statements regarding agenda items or other issues at this time.

IX. OLD BUSINESS

X. NEW BUSINESS

- A. Policy First Reading 151

There are only 4 policies that require Board input for decision making.

Policy 2:125 Requires the Board make the decision to determine the time the Board will

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annually state the reimbursement rates for food, lodging and travel. The Board will need to subsequently adopt a resolution stating these decisions.

Policy 2:220 Requires the Board to agree to mirror statutory language of school board meeting procedures.

Policy 5:60 Requires the Board to set the reimbursement level for food, travel, and lodging for employees.

Policy 5:260 Allows the option for students to conduct observations and classroom experiences without background checks. Student teachers would still be required to undergo finger printing and complete a background check.

The rest of the policy changes are all legal changes, language changes, citations, footnotes, etc. that are a result of the change from NCLB to ESSA at the federal level.

XI. EXECUTIVE SESSION

I move we adjourn to Executive Session for matters regarding personnel, negotiations, litigation and purchase or lease of real property. There will be no action after Executive Session.

- A. Personnel
- B. Negotiations
- C. Litigation
- D. Purchase or Lease of Real Property

XII. ACTION TO BE TAKEN AFTER EXECUTIVE SESSION

There will be no action after Executive Session.

XIII. ADJOURNMENT



**PROSPECT HEIGHTS SCHOOL DISTRICT 23
BOARD OF EDUCATION - REGULAR MEETING
DECEMBER 14, 2016
GRODSKY ADMINISTRATION CENTER at 7:00 PM**

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AGENDA

DISTRICT ORGANIZATIONAL GOALS

- Provide educational opportunities that are responsive to the needs of all learners and reflective of the demands of accountability.
- Engage families, community members and staff in dialogue, deliberation and collaborative thinking around the common interests of District 23.
- Manage resources efficiently and effectively to align with District priorities while being fiscally responsible



Township High School District 214
2121 South Goebbert Road
Arlington Heights, Illinois 60005
847-718-7600 ■ www.d214.org

Dr. David R. Schuler
Superintendent

November 9, 2016

Ms. Mari-Lynn Peters
President, Board of Education
Prospect Heights School District 23
700 N. Schoenbeck Rd.
Prospect Heights, IL 60070

Dear Fellow Resolution Co-Sponsor:

Thank you for being a co-sponsor for the IASB resolution, Redefining Ready! As you may recall in a letter I wrote previously, the IASB Resolution Committee did not agree with us and therefore voted against the resolution. I am writing to state why I am not appealing their Resolution Committee decision.

In voting against Redefining Ready!, the committee members stated that they would support RR! as a Belief Statement. You can find the Belief Statement in the IASB Report to the Membership document, which the Association mailed a few weeks ago. My reason for not appealing is that resolutions are for staff as talking points to use when lobbying elective bodies regarding laws. I do agree with the Resolution Committee on this point. Therefore I am not submitting an appeal.

Dr. Schuler has been diligently holding discussions with the State Board and has submitted a revised Redefining Ready! plan, which he will present to ISBE at the Triple I Conference. Dr. Schuler will also be the keynote speaker at the IASB North Cook Spring Division meeting.

I look forward to seeing everyone at the Conference. Please look for me as I will be present all three days. Once again, thank you for your continued support.

Sincerely,

Alva J Kreutzer, President
D214 Board of Education

cc. Ben Schwarm
Zach Messersmith
David Schuler, Ph.D.
Dr. Debbie Wilson ✓

Buffalo Grove High School ■ Community Education ■ Elk Grove High School
John Hersey High School ■ Newcomer Center ■ Prospect High School ■ Rolling Meadows High School
The Academy at Forest View ■ Vanguard School ■ Wheeling High School

- Inbox (6)
- Starred
- Important
- Sent Mail
- Drafts
- anderson
- angelaccio
- Bartocki
- board
- Deleted Messages
- Ecra group
- Echris
- Effective Schools
- gardiner
- lambatos (1)
- lkolstad@d23.org
- marshall memo
- mathias
- negotiations
- Notes



Sunrise Connection
 For Public Partners
Meet Share Respond

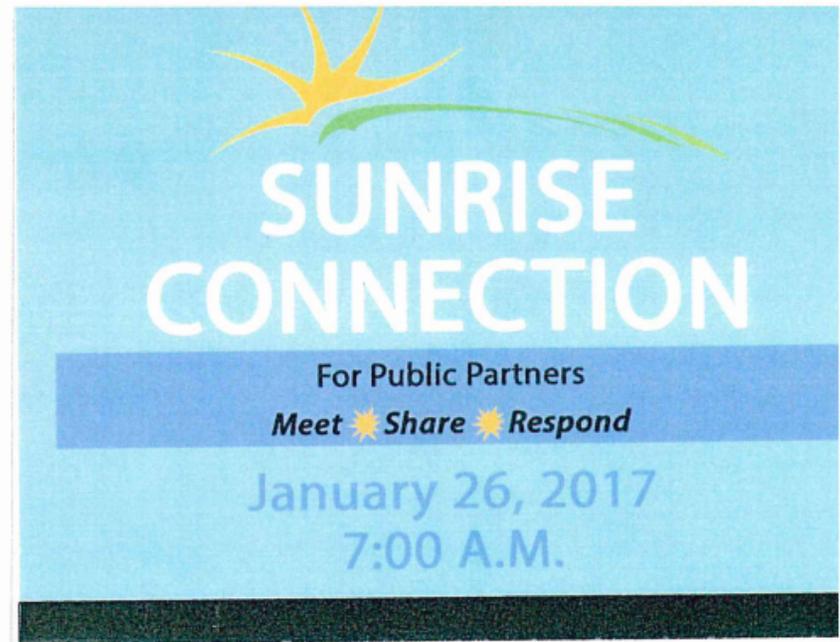
Enjoy a delicious hot breakfast and conversation with other public partners.

January 26, 2017
 Doors open at 7:00 A.M.
 Breakfast and conversation 7:15 – 8:45 A.M.

Mount Prospect Public Library, 10 S. Emerson Street, Mount Prospect

RSVP by January 20. Seating is limited.
 Watch for an e-vite from
 Mount Prospect Public Library - Sunrise Connection to register
 or call Josephine Broszczak, Administration, 847-253-5675.

Sponsored by the Friends of the Mount Prospect Public Library.



ROBERT P. BUSH

2348 SCHILLER AVENUE
WILMETTE, IL 60091

November 11, 2016

Mr. Lee, Principal
MacArthur Middle School
700 North Schoenbeck Road
Prospect Heights, IL 60070

Dear Principal Lee and Mr. Janowski,

I wish to express my appreciation to you, Mr. Simpson, Ms. Murray, Mr. Boyer and especially to the lovely and talented students of MacArthur Middle School for your marvelous hospitality and program yesterday. I was invited to attend by my associate from the Coast Guard Auxiliary, Mr. Robert Reczek, and I am indebted to him for anticipating how much I would enjoy the morning.

I cannot adequately express how impressed I was by the quality and beauty of the choral and the orchestral performances. It was difficult for me to keep in mind that the singers and musicians who were entertaining me were so young. Congratulations to everyone involved, those in the program and those servers who did such a nice job at the breakfast as well. I sincerely hope to be invited back for future events.

You all do credit to the man for whom your school is named. I was just eight years old but I do remember when General MacArthur was called home to a hero's welcome and a huge tickertape parade in New York City in 1951. He has been a hero of mine my entire life.

Principal Lee, I do have one request if you would be so kind. In your closing comments you recited a paragraph about it not been the politicians and oithers who have guaranteed our freedoms but rather our veterans. If you could send me those phrases, either as a note or by email I would greatly appreciate it.

Thank you all again for a delightful and moving experience,



Robert P. Bush



November 15, 2016

Prospect Heights School District 23
700 N Schoenbeck Rd
Prospect Heights, IL 60070-1231

Dear Prospect Heights School District 23,

Thank you for providing your in-kind gift of use of facility to Special Olympics Illinois. Your generous contribution plays an important role in our organization's mission to transform lives.

There's the new athlete who will find thrills, accomplishment and respect at their first competition. The mother of an older athlete who finds comfort in the fact that their child has found a place in the world, rich with friends and new experiences. It's also the coach who is overcome with joy and pride as he sees the weeks of hard work and training pay off with a medal-winning performance from his team.

The benefits of Special Olympics go far beyond individual athletic competition. Our movement enriches the lives of all who have a place on our community roster – even those who may only view themselves as friends or fans. Your generosity creates transformational opportunities for tens of thousands of children and adults with intellectual disabilities.

When we believe in the athletes, they believe in themselves. Please consider joining us at an upcoming event so that you may witness firsthand what you make possible. Visit our website at www.soill.org for the latest schedule of events. Again, thank you for being on *our* roster and bringing that kind of good onto the field and into the world.

With gratitude,

A handwritten signature in cursive script that reads "Dave Breen".

Dave Breen
President & CEO
Special Olympics Illinois

TAX ID # 36-2922811 – No goods or services were exchanged for your contribution, received on 5/23/2016. Please retain this letter as a receipt for tax purposes.

Thank you for the beautiful plant
you sent to our family. It's been
a difficult year, but the support and
kindness of Dist. 23 has been a
great help.

Sincerely, Betsy Yager
& the Bard family.

Prospect Heights School District 23

Building & Sites Committee Meeting

Wednesday, December 7, 2016

7:30 AM

Grodsky Administration Center

AGENDA

- I. Call to order
- II. Discussion item(s)
 - A. Potential D23/214 joint extra-curricular project
- III. Old business -- Item(s) discussed at previous Building & Sites committee meeting(s)
 - A. Update on 10-year Health/Life Safety survey and long range capital plan
- IV. New business -- Item(s) to be discussed at future Building & Sites committee meeting(s)
- V. Adjournment

**PROSPECT HEIGHTS SCHOOL DISTRICT 23
POLICY COMMITTEE MEETING
WEDNESDAY, DECEMBER 14, 2016
GRODSKY ADMINISTRATION CENTER at 6:00 PM**

AGENDA

CALL TO ORDER

I. Updated Policies

2

School Board

School District Elections ¹

School District elections are non-partisan, governed by the general election laws of the State, and include the election of School Board members, various public policy propositions, and advisory questions. ² Board members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years. ³ If, however, that date conflicts with the celebration of Passover, the consolidated election is postponed to the first Tuesday following the last day of Passover. ⁴ The canvass of votes is conducted by the election authority within 21 days after the election. ⁵

The Board, by proper resolution, may cause to be placed on the ballot: (a) public policy referendum according to Article 28 of the Election Code, or (b) advisory questions of public policy according to Section 9-1.5 of the School Code. ⁶

The Board Secretary serves as the local election official. He or she receives petitions for the submission of a public question to referenda and forwards them to the proper election officer and otherwise provides information to the community concerning District elections. ⁷

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

¹ State law controls this policy's content. Consult the board attorney early concerning any election question.

² 105 ILCS 5/9-10, ~~amended by P.A. 98-115~~, provides that nominating petitions are filed with the county clerk or the county board of election commissioners if one was created pursuant to 10 ILCS 5/6A-1. Objections to nominating petitions or to a petition for a public question are submitted to the county officers electoral board (10 ILCS 5/10-8 and 10-9, ~~amended by P.A. 98-115~~). ~~P.A. 98-115 amended t~~The Election Code ~~also addresses regarding~~ reportable campaign contributions (10 ILCS 9-1.8); simultaneous filing of nominating petitions (10 ILCS 5/10-6.2); withdrawal from nomination (10 ILCS 5/10-7); Electoral Board duties (10 ILCS 5/10-10); and advertising in proximity of a polling place (10 ILCS 5/19A-70). See also 10 ILCS 5/1-3, ~~amended by P.A. 99-522, eff. 1-1-17~~, (definitions), 5/2A (time of holding elections), and 5/28 (submitting public questions). The school board secretary or clerk has no statutory duties regarding the election of members to the school board. He or she is well-~~advised~~ to refer all questions to the county clerk or the county board of election commissioners, whichever is applicable.

³ 10 ILCS 5/2A-1.1.

⁴ 10 ILCS 5/2A-1.1a.

⁵ The appropriate *election authority* (county clerk or election commission) canvasses the vote for school district elections (10 ILCS 5/1-8). The election authority must canvass the vote within 21 days after the election (10 ILCS 5/22-17 and 5/22-18). Within 28 days after the consolidated election, boards must hold an organizational meeting to elect officers and fix a time and place for regular meetings (105 ILCS 5/10-16). See policy 2:210, *Organizational School Board Meeting*.

⁶ This policy addresses two types of public questions: (1) binding referendum governed by 10 ILCS 5/28, and (2) advisory questions of public policy governed by 105 ILCS 5/9-1.5. An advisory question must be authorized by majority vote of the board. A third type of public question – a voter-initiated petition – is not covered in the policy; the board does not have any duties regarding this type of petition. A voter-initiated petition must be filed with the school board secretary who, if the timelines are met, must certify the question to be placed on the ballot to the county clerk (10 ILCS 5/10-15, 5/28-2, and 5/28-5).

⁷ 10 ILCS 5/28-6 provides that any petition for the submission of a public question to referendum must be filed with the *local election official*. The board secretary or clerk is the *local election official* (105 ILCS 5/9-2 and 10 ILCS 5/1-3). ~~P.A. 98-115 reassigned many~~ See *f/n 2* as ~~many of the~~ duties of the *local election official* ~~were reassigned after the 2014 changes to the law; see f/n 2~~. The board may delete the following PR function: “~~and otherwise provides information to the community concerning District elections.~~”

DRAFT UPDATE

Board of Education

Board Member Development

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

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

Pertinent educational materials, publications, and notices of training or development received by the District or individual Board members will be made available to all Board members through Board packets, direct mail, or other distribution method.

Mandatory Board Member Training

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

1. Each Board member ~~elected or appointed to fill a vacancy of at least one year's duration~~ must complete at least ~~4-four~~ hours of professional development leadership training in education and labor law, financial oversight and accountability, and fiduciary responsibilities within the first year of his or her first term. ~~This requirement is applicable to Board members who are elected after June 13, 2011 or who are appointed to fill a vacancy of at least one year's duration after that date.~~
2. Each Board member must complete training on the Open Meetings Act no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificate of completion with the Board. Training on the Open Meetings Act is only required once.
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal using the optional alternative evaluation dismissal process. This dismissal process is available after the District's PERA implementation date.

Comment [APowell1]:
Updated to remove the past date.
Issue 93, October 2016

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

Professional Development; Adverse Consequences of School Exclusion; Student Behavior

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

Comment [APowell2]:
Optional. The School Code encourages Board members to be trained on these issues. A course on SB 100 will soon be available through IASB's Online Learning Center (OLC). Inquire at: onlinelearning@iasb.com.
Issue 93, October 2016

Board Self-Evaluation

The Board will conduct periodic self-evaluations with the goal of continuous improvement.

DRAFT UPDATE

New Board Member Orientation

The orientation process for newly elected or appointed Board members includes:

1. The Board President or Superintendent, or their designees, shall give each new Board member a copy of or online access to the Board Policy Manual, the Board's regular meeting minutes for the past year, and other helpful information including material describing the District and explaining the Board's roles and responsibilities.
2. The Board President or designee shall schedule one or more special Board meetings, or schedule time during regular meetings, for Board members to become acquainted and to review Board processes and procedures.
3. The Board President may request a veteran Board member to mentor a new member.
4. All new members are encouraged to attend workshops for new members conducted by the Illinois Association of School Boards.

Candidates

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

LEGAL REF.: 5 ILCS 120/1.05 and 120/2.
105 ILCS 5/10-16a and 5/24-16.5.

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

ADOPTED: ~~November 13, 2013~~

DRAFT UPDATE – REWRITTEN

2:125 - BOE

School Board

Board Member Compensation: Expenses¹

Board Member Compensation Prohibited²

Board of Education members provide volunteer service to the community and may not receive compensation for services, except that a Board member serving as the Board Secretary may be paid an amount up to the statutory limit if the Board so provides.

Roll Call Vote³

All Board member expense requests for travel, meals, and/or lodging must be approved by roll call vote at an open meeting of the Board.

Regulation of School District Expenses⁴

The Board regulates the reimbursement of all travel, meal, and lodging expenses in the District by resolution.⁵ No later than approval of the annual budget and when necessary,⁶ the Superintendent will

Comment [APowell1]:

This policy implements the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.

The footnote material is provided here for your information; once this policy has been adopted, the footnotes and copyright information will be removed.

Issue 93, October 2016

Comment [APowell2]:

The introduction provides information to the community that board members are public servants, and they do not receive *perks* or *compensation*.

Issue 93, October 2016

Comment [APowell3]:

50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 allows boards to determine this timeline locally.

Other options for the timing of when boards should set the MARA include:

OPTION 1: Delete *No later than approval of the annual budget* and replace it with *"At the start of each fiscal year"*

OPTION 2: Delete *No later than approval of the annual budget* and replace it with *"At the start of each school year"*

OPTION 3: Delete *No later than approval of the annual budget* and replace it with *"At the start of each calendar year"* or

OPTION 4: Delete *"No later than approval of the annual budget"* and replace it with *"When presenting the proposed budget"*.

Consider consulting the board's auditors to assist with this decision.

Issue 93, October 2016

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

¹ State law controls this policy's content (105 ILCS 5/10-9, 5/10-10 and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); and the Local Government Travel Expense Control Act (ECA) 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 (regulation of travel expenses)). The deadline for implementation of this policy under the ECA is 7-1-17, but as a practical matter, see the third paragraph of *f/n* 3, below.

² The legal limit for board secretary compensation is \$500 (105 ILCS 5/10-14).

³ 50 ILCS 150/15, added by P.A. 99-604, eff. 1-1-17. 105 ILCS 5/10-7 also states, "[o]n all questions involving the expenditure of money, the yeas and nays shall be taken and entered on the records of the proceedings of the board," i.e., a *roll call vote*.

Although the School Code has always required a roll call vote on public expenditures, on and after 60 days after the effective date of the ECA, a roll call vote will also be required for any:

1. Officer or employee of the board that exceeds the *maximum allowable reimbursement amount* (MARA) set by the board in its resolution to regulate expenses, and
2. Board member (50 ILCS 150/15, added by P.A. 99-604, eff. 1-1-17).

A majority of school law firms agree that the "on or after 60 days" date discussed in the paragraph above is 3-2-17. Some school law firms will use the date 3-1-17. There is also a policy-component deadline "[o]n and after 180 days after the effective date of [the ECA]." That date is 6-30-17. Many school law firms opine that, as a practical matter, boards should complete both the MARA and policy requirements of the ECA by late Feb. 2017 and no later than 3-1-17. Consult the board attorney about these dates. See *f/n* 13, below for more discussion about amending or adopting another resolution when expenses exceed the MARA required by the ECA.

⁴ 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 requires boards to regulate the reimbursement of expenses by *resolution* or *ordinance*. Unlike like the powers granted by the Ill. General Assembly to municipalities to pass ordinances, school boards govern by rules referred to as *policies* (105 ILCS 5/10-20.5). Further, school boards may only exercise powers given to them that are consistent with the School Code that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board (105 ILCS 5/10-20). Therefore, to effectuate the intent of the ECA's requirement to *regulate* expenses with an ordinance or resolution and stay within the confines of the School Code and best practice (minimize liability while aligning with the IASB "Foundational Principles of Effective Governance"), the language in this subhead:

1. Retains with the board its duty to *regulate* expenses through policy with a reference to a resolution that will define and set the types of allowable expenses in the district through the adoption of board policies 2:125, *Board Member Compensation: Expenses* and 5:60, *Expenses* (105 ILCS 5/10-20)(see *f/n* 5, below);
2. Delegates to the superintendent the duty to recommend an appropriate MARA to the board for adoption in its resolution to regulate expenses (see *f/n* 7, below).

2:125

Page 1 of 6

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DRAFT UPDATE – REWRITTEN

recommend a maximum allowable reimbursement amount for expenses to be included in the resolution.⁷ The recommended amount should be based upon the District's budget and other financial considerations.⁸

Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the Board member,⁹ (2) anyone's personal expenses,¹⁰ or (3) entertainment expenses.¹¹ Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events,

⁵ *Id.* For a sample resolution, see 2:125-E3, *Resolution to Regulate Expense Reimbursements*. Consult the board attorney about how often the board should adopt or revisit its resolution (see *f/n* 6 and 8, below). For discussion about setting an annual time of year to adopt the resolution, see *f/n* 6, below.

⁶ 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 allows boards to determine this timeline locally.

While the ECA does not require boards to adopt an *annual* resolution to regulate expenses, an annual review provides a way for the board to monitor this policy's implementation and its duties under the ECA and policy 2:240, *Board Policy Development*.

This sample policy uses "No later than approval of the annual budget" to align with 105 ILCS 5/17-1 (annual budget adoption within the first quarter of each fiscal year). The words *and when necessary* allow for flexibility in situations discussed in *f/n* 13, below (*emergency and/or an extraordinary circumstance*).

Consider consulting the board's auditors to assist with this decision. Other options for the timing of when boards should set the MARA include:

1. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each fiscal year"
2. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each school year"
3. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each calendar year" or
4. Deleting "~~No later than approval of the annual budget~~" and replacing it with "When presenting the proposed budget".

⁷ For practical purposes, this duty is delegated to the superintendent because:

1. The School Code:
 - a. Allows the board to delegate duties to the superintendent (105 ILCS 5/10-16.7), and
 - b. Assigns to the superintendent the duty to make recommendations to the board concerning the budget (105 ILCS 5/10-21.4); and
2. The MARA should be based upon a district's financial resources and other considerations important to the local district.

⁸ The ECA does not define MARA or how to determine it (see the first sentence of *f/n* 6, above). The board and superintendent should have a conversation that addresses at minimum the following topics:

1. Should the superintendent use and refer to line items from the current budget?
2. Would the board set per diems or set a very large number for the board and/or all of the district employees – both have their advantages and disadvantages.
3. Should the board categorize MARA by activity?
4. Will it be categorized by individual responsibilities to the district or job titles/classes?
5. Should there be an amount category for each type of travel: airfare, train, automobile, taxi, etc.?
6. Will there be a special category for recurring and/or required training opportunities for teachers and board members?

These choices will depend upon many factors, including the budget, perhaps an auditor's recommendation, the community's preferences, and advice from the board attorney.

Amend the language throughout this subhead and in the fourth WHEREAS paragraph in 2:125-E3, *Resolution to Regulate Expense Reimbursements* to reflect local preferences. Consider that inserting the actual MARA into the policy would likely require more formal continual policy updates as opposed to amending the resolution if a board needs to increase its MARA for any reason. For example, see the discussion in *f/n* 13, below.

⁹ 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses from being advanced or reimbursed to any person other than a board member or employee of the district.

¹⁰ Optional. *Personal expenses* are not defined in 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17 or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State's widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

¹¹ 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17.

DRAFT UPDATE – REWRITTEN

or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.¹²

Exceeding the Maximum Allowable Reimbursement Amount(s)

All requests for expense advancements, reimbursements, and/or purchase orders that exceed the maximum allowable reimbursement amount set by the Board may only be approved by it when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting. ¹³

Advancements

The Board may advance to its members actual and necessary expenses to be incurred while attending:¹⁴

1. Meetings sponsored by the Illinois State Board of Education or by the Regional Superintendent of Schools;¹⁵
2. County or regional meetings and the annual meeting sponsored by any school board association complying with Article 23 of the School Code; and
3. Meetings sponsored by a national organization in the field of public school education.

Expense advancement requests must be submitted to the Superintendent or designee on the Board's standardized estimated expense approval form. After spending expense advancements, Board members must use the Board's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. A Board member must return to the District any portion of an

Comment [APowell4]:

The Ill. Gen. Assembly abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

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

Issue 93, October 2016

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

¹² Id.

¹³ 50 ILCS 150/10 and 15, added by P.A. 99-604, eff. 1-1-17. A board may need to revisit its resolution to regulate expenses more often than annually if (a) an expense reimbursement amount exceeds the MARA set in the board's resolution, and (b) an *emergency* or an *extraordinary circumstance* does not exist. Consult the board attorney in these circumstances to determine whether the board may need to revisit and amend its resolution to increase the MARA before approving the expenses exceeding it.

Emergency or an *extraordinary circumstance* is not defined by the ECA, but these terms are meant to allow boards flexibility when expenses exceed the MARA. Yet approving expense reimbursement requests that exceed the MARA as *emergencies* or *extraordinary circumstances* when the board or superintendent "did not plan well" or "an organization's conference fees went up more than expected this year after the board adopted its resolution," may open the board to public relations and other legal challenges. See Laukhuf v. Board of Education, 2003 WL 23936148 (Ill. Cir. 2003) (addressing what constitutes an *emergency* in the context of the Open Meetings Act, which similar to the ECA, also does not define the term, and holding an emergency meeting to cure a situation that a school board created itself is not an emergency within the confines of OMA).

While the ECA does not provide for specific legal penalties for the wrongful approval of expenses, it is not clear whether a court may find in circumstances of poor MARA planning, that an *emergency* or *extraordinary circumstance* under the ECA did not exist and grant relief requested by a challenger as allowed under State law.

¹⁴ 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This advancement language pre-dates the ECA and is narrower than the ECA. A reasonable interpretation is that the MARA required in the ECA would apply to any advancement amount. This policy seeks to reconcile and highlight the differences between the School Code and the ECA requirements by separating School Code advancements into a separate subhead from ECA reimbursements (estimated and actual). For more distinctions between these laws and further discussion, see *f/n* 20, below.

¹⁵ Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center." The Ill. Gen. Assembly abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

DRAFT UPDATE – REWRITTEN

expense advancement not used.¹⁶ If an expense advancement is not requested, expense reimbursements may be issued by the Board to its members for the activities listed in numbers one through three, above, along with registration fees or tuition for a course(s) that allowed compliance with the mandatory trainings described in policy 2:120, *Board Member Development* and other professional development opportunities that are encouraged by the School Code (see the **Reimbursements and Purchase Orders** subhead, below).¹⁷ Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursement is not guaranteed and, when possible, Board members should seek pre-approval of expenses¹⁸ by providing an estimation of expenses on the Board's standardized estimated expense approval form, except in situations when the expense is diminutive. When pre-approval is not sought, Board members must seek reimbursement on the Board's standardized expense reimbursement form. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Credit and Procurement Cards ¹⁹

Credit and procurement cards shall not be issued to Board members.

Comment [APowell5]:
OPTION: A board may expand this provision's scope by amending and adding to the sentence as follows:
"and other professional development opportunities that are encouraged by the School Code, and other training provided by one of the entities described in the above list."
Issue 93, October 2016

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

¹⁶ 105 ILCS 5/10-22.32 requires the return of excess advancements that are issued.

¹⁷ Boards have this power under 105 ILCS 5/10-20; this statute specifies that the grant of powers to school boards is not exclusive and that school boards may exercise other powers that are not inconsistent with duties. A board may expand this provision's scope by amending and adding to the sentence as follows:

"and other professional development opportunities that are encouraged by the School Code, and other training provided by one of the entities described in the above list."

See also *f/n* 8 in policy 2:120, *Board Member Development* for an example of a board member professional development opportunity that is encouraged by the School Code.

¹⁸ Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense pre-approvals. 50 ILCS 150/20 states: "an estimate if expenses have not been incurred ..." or "a receipt ... if the expenses have already been incurred." suggesting no pre-approval is necessary. However, pre-approval is a best practice, and a board member who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements* reflects the district's specific pre-approval requirements. For an example of a standardized estimated expense form that could be used as a form of pre-approval, see 2:125-E2, *Board Member Estimated Expense Approval Form*. The form provides three methods for board members to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

¹⁹ Optional. Consult the board attorney about issuing credit and procurement cards to board members. See *f/n* 1 of policy 4:55, *Use of Credit and Procurement Cards*.

If in consultation with the board attorney credit and procurement cards will be issued to board members, delete "Credit and procurement cards shall not be issued to Board members" and insert "Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*."

DRAFT UPDATE – REWRITTEN

Standardized Expense Form(s) Required 20

All requests for expense advancement, reimbursement, and/or purchase orders in the District must be submitted on the appropriate itemized, signed standardized form(s). The form(s) must show the following information:

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and office of the Board member who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants. 21
3. The date(s) of the official business on which the expense advancement or reimbursement will be or was expended.
4. The nature of the official business conducted when the expense advancement or reimbursement will be or was expended.

Types of Official Business for Expense Advancements, Reimbursements, and Purchase Orders

1. Registration. When possible, registration fees will be paid by the District in advance.
2. Travel. The least expensive method of travel will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for:
 - a. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Copies of airline tickets must be attached to the expense form.
 - b. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
 - c. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
 - d. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
 - e. Taxis, airport limousines, or other local transportation costs.
3. Meals. Meals charged to the School District should represent mid-fare selections for the hotel/meeting facility or general area, consistent with the maximum allowable reimbursement

Comment [APowell6]:

OPTION: Alternatively, a board could set a daily limit on meal costs, such as:
Board members will be reimbursed for meal costs and tips up to \$____ per day consistent with the maximum allowable reimbursement amount(s) set by the Board.

Consult the Board's previous version of policy 2:125 to see whether a daily limit is currently in place.

But see also footnote 8 and ensure this amount is consistent with the MARA set by the board resolution.

Issue 93, October 2016

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

20 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32). The **PRESS** materials on expenses marry the School Code's advancement voucher requirement into the ECA's requirement for a standardized estimated expense form. For an example, see 2:125-E2, *Board Member Estimated Expense Approval Form* and 5:60-E2, *Employee Estimated Expense Approval Form*. These forms provide three methods for board members or district employees to submit anticipated/estimated expenses:

1. Providing estimated expenses under 50 ILCS 150/.
2. Requesting expense advancements for the activities listed under 105 ILCS 5/10-22.32, or
3. Obtaining a purchase order (highly unlikely for anticipated board member expenses but possible).

21 Id. at (2) and (3).

2:125

Page 5 of 6

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DRAFT UPDATE – REWRITTEN

amount set by the Board.²² Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

4. Lodging. Board members should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Board members should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.
5. Miscellaneous Expenses. Board members may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF.: 105 ILCS 5/10-20 and 5/10-22.32.
Local Government Travel Expense Control Act, 50 ILCS 150/.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:120 (Board Member Development), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 5:60 (Expenses)

ADOPTED:

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

²² Alternatively, a board could set a daily limit on meal costs, such as:

Board members will be reimbursed for meal costs and tips up to \$_____ per day consistent with the maximum allowable reimbursement amount(s) set by the Board.

But see also f/n 8, above and ensure this amount is consistent with the MARA set by the board resolution.

2:125

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Page 6 of 6

DRAFT UPDATE

Prospect Heights School District 23

2:200

Board of Education

Types of Board of Education Meetings

General

For all meetings of the Board of Education and its committees, the Superintendent or designee shall satisfy all notice and posting requirements contained herein as well as in the Open Meetings Act. This shall include mailing meeting notifications to news media that have officially requested them and to others as approved by the Board. Unless otherwise specified, all meetings are held in the District's main office. Board policy 2:220, *Board of Education Meeting Procedure*, governs meeting quorum requirements.

The Superintendent is designated on behalf of the Board and each Board committee to receive the training on compliance with the Open Meetings Act that is required by Section 1.05(a) of that Act. The Superintendent may identify other employees to receive the training. In addition, each Board member must complete a course of training on the Open Meetings Act as required by Section 1.05(b) or (c) of that Act.

Regular Meetings

The Board announces the time and place for its regular meetings at the beginning of each fiscal year. The Superintendent shall prepare and make available the calendar of regular Board meetings. The regular meeting calendar may be changed with 10 days' notice in accordance with State law.

A meeting agenda shall be posted at the District's main office and the Board's meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting.

Closed Meetings

The Board and Board committees may meet in a closed meeting to consider the following subjects:

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act], 5 ILCS 120/2(c)(1), amended by P.A. 99-646.
2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
3. The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-judicative body, as defined in the Open Meetings Act,

Comment [APowell1]:

Discussing the elimination of an employee's position for reasons unrelated to the performance of the employee is not within the scope of Section 2(c)(1). Nor does the exception permit a public body to hold closed sessions to discuss employees in general or issues that may ultimately have an impact on employees.

The Local Government Wage Increase Transparency Act, 50 ILCS 155/1, added by P.A. 99-646, allows *disclosable payments* (described below) to IMRF employees only when the school board has first discussed the specific payment to be made at a meeting open to the public and posted and held in accordance with the requirements of the Open Meetings Act.

The provisions apply only to disclosable payments made to participating employees under Article Seven of the Illinois Pension Code (IMRF) who began participation before 1-1-11 and who are not subject to a collective bargaining agreement with respect to the employment upon which the participation is based.

Disclosable payments means a payment, whether in the form of an increase in the rate of earnings or a lump-sum payment, that would:

1. Be made by a participating employer to a participating employee after the employee has expressed to the employer his or her intent to retire or withdraw from service;
2. Have the effect of increasing the employee's reportable monthly earnings from that employer by more than 6% compared to the previous month; and
3. Be made between 12 months and 90 days prior to the employee's expected termination of service.

It does not include a refund of contributions or any payment required to be paid by State or federal law.

Issue 93, October 2016

2:200

Page 1 of 3

DRAFT UPDATE

provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).

5. The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
6. The setting of a price for sale or lease of property owned by the public body. 5 ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
8. Security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8), amended by P.A. 99-235, eff. 1-1-16.
9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
12. The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).
13. Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16).
14. Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
15. Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

The Board may hold a closed meeting, or close a portion of a meeting, by a majority vote of a quorum, taken at an open meeting. The vote of each Board member present, and the reason for the closed meeting, will be publicly disclosed at the time of the meeting and clearly stated in the motion and the meeting minutes.

A single motion calling for a series of closed meetings may be adopted when such meetings will involve the same particular matters and are scheduled to be held within 3 months of the vote.

No final Board action will be taken at a closed meeting.

DRAFT UPDATE

Reconvened or Rescheduled Meetings

A meeting may be rescheduled or reconvened. Public notice of a rescheduled or reconvened meeting shall be given in the same manner as that for a special meeting, except that no public notice is required when the original meeting is open to the public and: (1) is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda.

Special Meetings

Special meetings may be called by the President or by any 3 members of the Board by giving notice thereof, in writing, stating the time, place, and purpose of the meeting to remaining Board members by mail at least 48 hours before the meeting, or by personal service at least 24 hours before the meeting.

Public notice of a special meeting is given by posting a notice at the District's main office at least 48 hours before the meeting and by notifying the news media that have filed a written request for notice. A meeting agenda shall accompany the notice.

All matters discussed by the Board at any special meeting must be related to a subject on the meeting agenda.

Emergency Meetings

Public notice of emergency meetings shall be given as soon as practical, but in any event, before the meeting to news media that have filed a written request for notice.

Posting on the District Website

In addition to the other notices specified in this policy, the Superintendent or designee shall post the following on the District website: (1) the annual schedule of regular meetings, which shall remain posted until the Board approves a new schedule of regular meetings; (2) a public notice of all Board meetings; and (3) the agenda for each meeting which shall remain posted until the meeting is concluded.

LEGAL REF.: 5 ILCS 120/, Open Meeting Act.
5 ILCS 140/, Freedom of Information Act.
105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:110 (Qualifications Term, and Duties of Board Officers), 2:120 (Board Member Development), 2:210 (Organizational Board of Education Meetings), 2:220 (Board of Education Meeting Procedure), 2:230 (Public Participation at Board of Education Meetings and Petitions to the Board), 6:235 (Access to Electronic Networks)

ADOPTED: January 14, 2016

School Board

Access to District Public Records 1

Full access to the District's *public records* is available to any person as provided in the Illinois Freedom of Information Act (FOIA), this policy, and implementing procedures. The Superintendent or designee shall: (1) provide the Board with sufficient information and data to permit the Board to monitor the District's compliance with FOIA and this policy, and (2) report any FOIA requests during the Board's regular meetings along with the status of the District's response. 2

Freedom of Information Officer 3

The Superintendent shall serve as the District's Freedom of Information Officer and assumes all the duties and powers of that office as provided in FOIA and this policy. The Superintendent may delegate these duties and powers to one or more designees, but the delegation shall not relieve the Superintendent of the responsibility for the action that was delegated.

Definition 4

The District's *public records* are defined as records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary material pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of the School District.

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

1 The Illinois Freedom of Information Act (FOIA) governs the subject matter in this policy (5 ILCS 140/). School districts are required to make public records available to any person for inspection or copying, unless they fall within an exception (5 ILCS 140/3(a)). The *f/n*s only discuss sections of FOIA that are relevant to school districts. State law does not explicitly require boards to adopt a policy on access to their records. However, a board policy is the logical instrument to memorialize the actions that are required to implement FOIA. The laws limiting the disclosure of employee evaluations are discussed in *f/n* 7.

Any person denied access to a public record may request a review by the Ill. Public Access Counselor (PAC) established in the office of the Attorney General (5 ILCS 140/9.5). As a result of the review, the PAC may issue an opinion binding on the requester and public body. IASB reports on the opinions relevant to school districts on its website at:

www.iasb.com/law/decisions.cfm?SubjectArea=Freedom%20of%20Information%20Act%20-%20FOIA.

2 This sentence allows a board to monitor the district's compliance with FOIA. This is an important duty as illustrated by FOIA's provision stating: "It is a fundamental obligation of government to operate openly and provide public records as expediently and efficiently as possible." The School Code requires the FOIA report described in #2 (105 ILCS 5/10-16); it is optional, however, for districts governed by a board of school directors.

3 Each board must designate one or more official(s) or employee(s) to act as its freedom of information officer(s) (5 ILCS 140/3.5)(referred to in the *f/n*s as *FOIA Officer*). A board may replace *Superintendent* in this paragraph with another job title, or may replace the paragraph with one of the alternatives below:

Alternative 1: The Board will appoint an employee to serve as the District's Freedom of Information Officer. That appointee assumes all the duties and powers of that office as provided in FOIA and this policy.

Alternative 2: The Superintendent shall appoint an employee, who may be himself or herself, to [continue as with alternative 1].

4 The definition is quoted from 5 ILCS 140/2(c). Substitute the following alternative for this paragraph if desired: "The definition of *public records*, for purposes of this policy, is the definition contained in Section 2(c) of FOIA without amendment."

Requesting Records 5

A request for inspection and/or copies of public records must be made in writing and may be submitted by personal delivery, mail, telefax, or email directed to the District's Freedom of Information Officer. Individuals making a request are not required to state a reason for the request other than to identify when the request is for a commercial purpose or when requesting a fee waiver. The Superintendent or designee shall instruct District employees to immediately forward any request for inspection and copying of a public record to the District's Freedom of Information Officer or designee.

Responding to Requests

The Freedom of Information Officer shall approve all requests for public records unless:

1. The requested material does not exist; 6
2. The requested material is exempt from inspection and copying by the Freedom of Information Act; 7 or
3. Complying with the request would be unduly burdensome. 8

Within five business days after receipt of a request for access to a public record, the Freedom of Information Officer shall comply with or deny the request, unless the time for response is extended as specified in Section 3 of FOIA.⁹ The Freedom of Information Officer may extend the time for a response for up to five business days from the original due date.¹⁰ If an extension is needed, the Freedom of Information Officer shall: (1) notify the person making the request of the reason for the

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

⁵ This section restates 5 ILCS 140/3(c). Districts may, but are not required to, accept oral requests. Compliance with an oral request may stave off the formal written request and permit more flexibility in the response. Add this option if the district wants to accept oral requests: "Oral requests may be accepted provided personnel are available to handle them." The response to an oral request should be documented. Districts may provide a request form for convenience but may not require its use. See 2:250-E1, *Written Request for District Public Records*.

⁶ FOIA does not require a public body to create a record (5 ILCS 140/1). However, compiling information already in the public body's possession into a different format in order to respond to a FOIA request does not constitute the creation of a new record (PAO 15-10). See also Hites v. Waubensee Community College, 2016 WL 150836 (Ill.App.Ct. June 6, 2016)(holding that databases which house aggregations of data and do not merely store documents are subject to FOIA).

⁷ 5 ILCS 140/7 and 140/7.5 describe numerous explicit exceptions to the presumption that all public records are available for public inspection. Each record is "presumed to be open to inspection or copying" and the district will have "the burden of proving by clear and convincing evidence that it is exempt," (5 ILCS 140/1.2 and 140/11(f)). A person who prevails in a court proceeding to enforce FOIA will be awarded attorney's fees; the public body may incur a civil penalty of between \$2,500 and \$5,000 for each occurrence of a willful or intentional violation of FOIA or other action in bad faith; and courts may impose additional penalties of up to \$1,000 for each day the violation continues if (1) the board fails to comply with the court's order after 30 days, (2) the court's order is not on appeal or stayed, and (3) the court does not grant the public body additional time to comply with the court's order to disclose public records (5 ILCS 140/11(i) and (j)). amended by P.A. 99-586, eff. 1-1-17. School officials should seek the board attorney's advice concerning the denial of a record request.

Two State laws limit the disclosure of employee personnel evaluations:

1. The Personnel Record Review Act prohibits the disclosure of performance evaluations (820 ILCS 40/11).
2. The School Code prohibits the disclosure of public school teacher, principal, and superintendent performance evaluations except as otherwise provided in the certified employee evaluation laws (105 ILCS 5/24A-7.1).

⁸ 5 ILCS 140/3(g).

⁹ 5 ILCS 140/3(d). Reasons for extensions are addressed at 5 ILCS 140/3(e). Public bodies must respond to FOIA requests (PAOs 16-05, 16-04, 16-04, and 16-03, and 16-01). Public bodies must also conduct a reasonable search for public records responsive to a FOIA request, which includes searching public employees' communications on personal devices or accounts for records pertaining to the transaction of public business (PAO 16-06).

¹⁰ 5 ILCS 140/3(e).

extension, and (2) either inform the person of the date on which a response will be made, or agree with the person in writing on a compliance period. 11

The time periods are extended for responding to requests for records made for a *commercial purpose*, requests by a *recurrent requester*, or *voluminous requests*, as those terms are defined in Section 2 of FOIA. The time periods for responding to those requests are governed by Sections 3.1, 3.2, and 3.6 of FOIA. 12

When responding to a request for a record containing both exempt and non-exempt material, the Freedom of Information Officer shall redact exempt material from the record before complying with the request. 13

Fees 14

Persons making a request for copies of public records must pay any and all applicable fees. The Freedom of Information Officer shall establish a fee schedule that complies with FOIA and this policy and is subject to the Board's review. The fee schedule shall include copying fees and all other fees to the maximum extent they are permitted by FOIA, including without limitation, search and review fees for responding to a request for a *commercial purpose* and fees, costs, and personnel hours in connection with responding to a *voluminous request*.

Copying fees, except when fixed by statute, shall be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. In no case shall the copying fees exceed the maximum fees permitted by FOIA. If the District's actual copying costs are equal to or greater than the maximum fees permitted by FOIA, the Freedom of Information Officer is authorized to use FOIA's maximum fees as the District's fees. No copying fees shall be charged for: (1) the first 50 pages of black and white, letter or legal sized copies, or (2) electronic copies other than the actual cost of the recording medium, except if the response is to a *voluminous request*, as defined in FOIA.

A fee reduction is available if the request qualifies under Section 6 of FOIA. The Freedom of Information Officer shall set the amount of the reduction taking into consideration the amount of material requested and the cost of copying it. 15

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

11 5 ILCS 140/3(f). A board may replace the default paragraph with the following alternative: "The Freedom of Information Officer shall respond to record requests according to the time periods described in Section 3 of FOIA."

12 The timelines are extended to respond to a: (1) *recurrent requester* (defined in Sec. 2(g)); (2) request with a *commercial purpose* (defined in Sec. 2(c-10)); and (3) *voluminous request* (defined in Sec. 2(h)). To use the extended timelines, a district must follow the requirements in Sec. 3.2~~4~~ for responding to a *recurrent requester*; Sec. 3.1~~2~~ for responding to a request with a *commercial purpose*; and Sec. 3.6 (added by P.A. 98-1129) for responding to a *voluminous request*. See the administrative procedure, 2:250-API, *Access to and Copying of District Public Records*, for additional information.

13 5 ILCS 140/7. Redacting exempt portions is permitted, but not required, except that contractors' employees' addresses, telephone numbers, and social security numbers must be redacted before disclosure (5 ILCS 140/2.10). Reviewing past responses to FOIA requests will promote uniform treatment of requests for similar records.

14 5 ILCS 140/6, amended by P.A. 98-1129. The first paragraph's intent is to be efficient and avoid paraphrasing a complex law. The procedure 2:250-API, *Access to and Copying of District Public Records*, contains a fee schedule identifying the maximum fees permitted.

Section 6(a) states: "If a request is *not* a request for a *commercial purpose* or a *voluminous request*, a public body *may not* charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records." (Emphasis added.) This implies that a search and review fee may be charged when responding to a request for a *commercial purpose* or a *voluminous request*. However, Sec. 6(b) states that the search and review fee described in Sec. 6(f) may be charged *only* to someone making a *commercial request*. Sec. 6(f) contains the maximum amounts that may be charged for search and review but does not explain when they may be charged. The FOIA Officer will need to consult the board attorney concerning fees.

Provision of Copies and Access to Records

A public record that is the subject of an approved access request will be available for inspection or copying at the District's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer. 16

Many public records are immediately available from the District's website including, but not limited to, the process for requesting a public record.¹⁷ The Freedom of Information Officer shall direct a requester to the District's website if a requested record is available there. If the requester is unable to reasonably access the record online, he or she may resubmit the request for the record, stating his or her inability to reasonably access the record online, and the District shall make the requested record available for inspection and copying as otherwise provided in this policy. 18

Preserving Public Records

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g., a litigation hold), District auditor, or other individual authorized by the School Board or State or federal law to make such a request.¹⁹ Unless its

¹⁵ 5 ILCS 140/6(c) makes it mandatory to furnish records "without charge or at a reduced charge" if the request is in the *public interest* as defined by FOIA. If a board wants to indicate when a reduction is available by paraphrasing the statute, it may substitute the following alternative for the default paragraph:

A fee reduction is available if the person requesting the record states a specific purpose for the request and indicates that a fee reduction is in the public interest by having as its principal purpose the preservation of the general public's health, safety, welfare, or legal rights and is not for the principal purpose of personal or commercial benefit. The Freedom of Information Officer shall set the amount of the reduction, taking into consideration the amount of material requested and the cost of copying it.

¹⁶ Public bodies may adopt rules for the times and places where records will be made available (5 ILCS 140/3(h)). A board may amend this sentence to reflect other times and/or places where records will be made available.

¹⁷ 5 ILCS 140/4. A district may reduce FOIA requests by posting records on its website. Many records are required to be web-posted, see 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. If the district does not have a website, change this paragraph sentence as follows: "Some public records are available for immediate access including a description of the process for requesting a public record, and a list of all types or categories of records under its control."

For a list of required web-postings, see exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Using the district's website is also a convenient way to comply with FOIA's requirement to identify documents that are *immediately* available (5 ILCS 140/3.5(a)). Although not required to be web-posted, a list of all types or categories of records under its control must be prepared and made available (5 ILCS 140/5). See 2:250-API, *Access to and Copying of District Public Records*.

¹⁸ 5 ILCS 140/8.5, added by P.A. 98-1129.

¹⁹ The Local Records Act, 50 ILCS 205/3, requires the preservation of records described in items #1-3. The preservation of records described in item #3 is also required by the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, and the Ill. School Student Records Act, 105 ILCS 10/, among other laws. An example of a record described in item #4 is a record subject to a *litigation hold* or a document preservation requirement pursuant to Federal Rules of Civil Procedure, Rules 16 and 26.

Categorizing email messages is complicated because two laws apply and the rules differ when a board member is a party. See sample policy 2:140, *Communications To and From the Board*, for a discussion of email between or among board members. When employees or agents are using email for school purposes, the email messages may be *public records*, but will not necessarily be subject to disclosure depending on the topic discussed. FOIA's list of exemptions from disclosure determines whether these emails are subject to disclosure. For exemptions, see 5 ILCS 140/7 and 140/7.5.

Not all email messages between or among employees must be preserved, even if they are *public records* for purposes of FOIA. The definition of *public record* in the Local Records Act, 50 ILCS 205/3, is narrower than its definition in FOIA. Thus, staff email, like all district records, must be retained only when it contains material described in #1-4. While this is a slippery slope without definitive parameters, employee email that is conversational or personal, or contains brainstorming may generally be deleted.

retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission. 20

LEGAL REF.: 5 ILCS 140/, Illinois Freedom of Information Act.
105 ILCS 5/10-16 and 5/24A-7.1.
820 ILCS 40/11.
820 ILCS 130/5.

CROSS REF.: 2:140 (Communications To and From the Board), 5:150 (Personnel Records),
7:340 (Student Records)

The Prevailing Wage Act (820 ILCS 130/5, ~~amended by P.A.s 98-328 and 98-482~~) requires contractors, while participating in public works, to keep certified payroll records of all laborers, mechanics, and other workers employed by them on the project and to submit this record no later than the 15th of the month to the public body. The public body in charge of the project must keep the records submitted before 1-1-14 for a period of not less than ~~3~~ three years. Records submitted on or after 1-1-14 must be kept for a period of ~~5~~ five years. Records may be retained in paper or electronic format. These records must be made available in accordance with FOIA except that contractors' employees' addresses, telephone numbers, and social security numbers must be redacted before disclosure (5 ILCS 140/2.10).

~~20~~ 50 ILCS 205/. Preservation and destruction of documents is covered in 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. See also the Ill. Secretary of State's website for information on preserving and destroying records, ~~www.cyberdriveillinois.com/departments/archives/records_management/~~ ~~www.cyberdriveillinois.com/departments/archives/records_management/reeman.html~~.

2:250

Page 5 of 5

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DRAFT UPDATE

Prospect Heights School District 23

2:220

Board of Education

Board of Education Meeting Procedure

Agenda

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

Each Board meeting agenda shall contain the general subject matter of any item that will be the subject of final action at the meeting. Any Board member may submit suggested agenda items to the Board President for his or her consideration for an upcoming meeting. District residents may suggest inclusions for the agenda. The Board will take final action only on items contained in the posted agenda; items not on the agenda may still be discussed.

The Superintendent shall provide a copy of the agenda, with adequate data and background information, to each Board member at least 48 hours before each meeting, except a meeting held in the event of an emergency. The meeting agenda shall be posted in accordance with Board policy 2:200, *Types of Board of Education Meetings*.

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

Voting Method

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

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

Any Board member may include a written explanation of his or her vote in the District file containing individual Board member statements; the explanation will not be part of the minutes.

Minutes

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

1. The meeting's date, time, and place;
2. Board members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;

2:220

Page 1 of 3

Comment [APowell1]:

1. This policy language is unchanged, but new information was added to the footnote:
Directing the sale of district real property or buildings thereon must be approved by at least 2/3 of the board members (105 ILCS 5/5-22, amended by P.A. 99-794, eff. 1-1-17), unless the sale is residential property constructed or renovated by students as part of a curricular program, in which case, the board could engage the services of a licensed real estate broker to sell the property for a commission not to exceed 7%, contingent upon the public listing of the property on a multiple listing service for a minimum of 14 calendar days and a sale of the property happens within 120 days.

This law originated through IASB resolutions.

Issue 93, October 2016

DRAFT UPDATE

4. On all matters requiring a roll call vote, a record of who voted "yea" and "nay";
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;
6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting;
7. A record of all motions, including individuals making and seconding motions;
8. Upon request by a Board member, a record of how he or she voted on a particular motion; and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

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

At least semi-annually in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) decides which, if any, no longer require confidential treatment and are available for public inspection. The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release.

The Board's meeting minutes must be submitted to the Board Treasurer at such times as the Treasurer may require.

The official minutes are in the custody of the Board Secretary. Open meeting minutes are available for inspection during regular office hours within 10 days after the Board's approval; they may be inspected in the District's main office, in the presence of the Secretary, the Superintendent or designee, or any Board member.

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

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

Verbatim Record of Closed Meetings

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

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

Individual Board members may ~~access~~ listen to verbatim recordings ~~in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member. Access to the verbatim recordings is available at the District's administrative offices or the verbatim recording's official storage location. Requests shall be made to the Superintendent or Board President, when that action is~~ While a Board member is listening to a verbatim recording, it shall not be re-recorded or

Comment [APowell2]:

5 ILCS 120/2.06(e), amended by P.A. 99-515. The listed individuals in the statute are matched to the titles in the IASB Policy Reference Manual.

OPTION: If the board wishes to mirror the statutory language, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body."

Issue 93, October 2016

Comment [APowell3]:

The intent of the *in the presence of* language is meant to protect both (1) the verbatim recordings/closed session minutes and (2) the board members requesting access to them. It ensures that a school district official is present at all times when a requesting board member accesses the verbatim recording/closed session minutes. The requirement is meant to prevent misuse and removal of the verbatim recording/closed session minutes from the district offices or official storage location. It is also meant to protect the board member who requests the access from being alone and in a situation where he or she could potentially be accused of tampering with or taking the verbatim recording/closed session minutes.

Issue 93, October 2016

Comment [APowell4]:

Consult the board attorney about:

1. The practice of sending an *appointed* board member to be present with a board member who requests access to verbatim recordings/closed session minutes. 105 ILCS 120/2.06(e) states, "any *elected* member of the Board;" appointed is not listed but is mentioned elsewhere in the language of this section of the law;
2. Access to verbatim recordings/closed session minutes by other officials employed by the district, e.g., superintendent or other high-level administrators and even the board attorney; and
3. How this law affects the sharing of closed session minutes with board members prior to a meeting at which the closed session minutes will be approved.

The intent of P.A. 99-515 was to manage a board member's *individual* request for access to these items in his or her individual capacity (see 2-80, *Board Member Oath and Conduct*), not change prior practices in regard to other officials and board attorneys or the required work of school boards under various laws. While many attorneys do not interpret the new law to restrict access or change procedures for these other high-level school officials and attorneys employed by the district, some attorneys do and it is important to obtain legal advice on this specific issue.

Issue 93, October 2016

DRAFT UPDATE

removed from the District's main office or official storage location, except by vote of the Board or by court order.

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

Quorum and Participation by Audio or Video Means

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

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

Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use Robert's Rules of Order, Newly Revised (10th Edition), as a guide when a question arises concerning procedure.

Broadcasting and Recording Board Meetings

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

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

LEGAL REF.: 5 ILCS 120/2a, 120/2.02, 120/2.05, and 120/2.06.
105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.

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

ADOPTED: February 13, 2013

Comment [APowell15]:

This paragraph is optional. It provides boards an opportunity to discuss and encourage each member to carefully think about purposes for their requests to listen to verbatim recordings, which historically has been and should continue to be to "access information relevant to the exercise of duties" for the public body. Intra-board conflicts may escalate if the recording is used to confirm or dispute who-said-what. Prior to P.A. 99-515, the Open Meetings Act did (and still does) allow boards to release these types of information (5 ILCS 120/2.06(e)). Further, Att'y Gen. Op. 32, 1996, opined that board members cannot be denied access to information relevant to the exercise of his or her duties. Board members should evaluate whether their requests under P.A. 99-515 are "relevant to the exercise of their duties" before making such requests. Confirming or disputing who-said-what diverts resources away from operations of the district in educating its students. Additional considerations in listening to verbatim recordings may include personnel and student records confidentiality issues, which should be discussed with the board attorney.

Issue 93, October 2016

Comment [KAS1]: Policy is unchanged. Footnotes reflect P.A. 99-846. It allows certain qualifying districts to appoint a chief executive officer to serve as its superintendent.

General School Administration

Superintendent 1

Duties and Authority

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools in accordance with School Board policies and directives, and State and federal law. District management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law.² The Superintendent is authorized to develop administrative procedures and take other action as needed to implement Board policy and otherwise fulfill his or her responsibilities. The Superintendent may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the Superintendent by Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.³

Qualifications

The Superintendent must be of good character and of unquestionable morals and integrity. The Superintendent shall have the experience and the skills necessary to work effectively with the Board, District employees, students, and the community. The Superintendent must have and maintain a Professional Educator License with a superintendent endorsement issued by the Illinois State Educator Preparation and Licensure Board.⁴

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

¹ State law controls this policy's content. Unless the district has only one school with fewer than four teachers, the board must employ a superintendent or a chief executive officer as allowed under specific circumstances (105 ILCS 5/10-21.4, amended by P.A. 99-846). This statute assigns some specific duties to the superintendent including to: (1) make recommendations to the board concerning the budget, building plans, the locations of sites, the selection, retention, and dismissal of teachers and all other employees, the selection of textbooks, instructional material, and courses of study, (2) report to the board, ISBE, and chief administrative official any employee named in an abused child report, and (3) keep or cause to be kept the records and accounts as directed and required by the board, aid in making reports required by the board, and perform such other duties as the board may delegate to him/her. 105 ILCS 5/10-16.7 requires boards to direct, through policy, the superintendent, in his or her charge of the district's administration.

ISBE is required, subject to an annual appropriation by the General Assembly, to establish a new superintendent mentoring program. With limited exceptions, any individual serving as a first-time superintendent in Illinois must participate in the mentoring program for two school years (105 ILCS 5/2-3.53b). The ISBE-selected provider will assign a mentor to a new superintendent based on similarity of grade level or type of district, learning needs, and geographical proximity. The mentor must not be required to evaluate the new superintendent on the basis of the mentoring relationship.

² See 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, for an annotated list of documents and reports that must be posted on the district's website, if the district has a website. While not comprehensive, see the IASB's *Annual School Calendar* for the required reports that do not need web-posting, available on the IASB website at www.iasb.com/pdf/schoolcal.pdf-iasb-eom-law/.

³ This paragraph strengthens the policy's connection to the IASB's *Foundational Principles of Effective Governance*. It allows the superintendent broad delegation authority even when a policy fails to specifically provide for delegation.

⁴ 105 ILCS 5/21B-20 and 5/21B-25 govern Professional Educator Licenses and superintendent endorsements. See also 23 Ill. Admin. Code §§25.355 (endorsements on or after 9-1-162019 [rule only states the year]), 25.360 (through 8-31-2019), 29.100 (Ill. Professional School Leader Standards), and 29.130 (Superintendent Standards).

Evaluation

The Board will evaluate, at least annually, the Superintendent's performance and effectiveness, using standards and objectives developed by the Superintendent and Board that are consistent with the Board's policies and the Superintendent's contract.⁵ A specific time should be designated for a formal evaluation session with all Board members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

The Superintendent shall annually present evidence of professional growth through attendance at educational conferences, in-service training, or similar continuing education pursuits.⁶

Compensation and Benefits⁷

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

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-20.47, 5/10-21.4, 5/10-23.8, 5/21B-20, 5/21B-25, 5/24-11, and 5/24A-3.
23 Ill.Admin.Code §§1.310, 1.705, and 29.130.

CROSS REF: 2:20 (Powers and Duties of the School Board; Indemnification), 2:130 (Board-Superintendent Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives)

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

⁵ 105 ILCS 5/10-16.7 requires a board to evaluate the superintendent. See [The Superintendent Evaluation Process](#) on the IASB website. While greater detail may be added to this paragraph (e.g., a timeline, self-evaluation provision, and discussion requirements), a board must be sure that the policy and the superintendent's contract are consistent.

⁶ The reporting requirements in this paragraph are optional, but school boards must "require evaluators to participate in an in-service training on the evaluation of licensed personnel provided or approved by [ISBE] prior to undertaking any evaluation and at least once during each license renewal cycle," (105 ILCS 5/24A-3).

⁷ According to 105 ILCS 5/10-23.8, a superintendent must be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators; see [Superintendent Performance Contracts](#), published by IASB. Residency requirements, if desired, should be included in a superintendent's employment contract.

The employment contract should be *in writing* even though the School Code does not require it to be written. Contact the board attorney for assistance. An administrator who is not working under a written contract is presumed to have a contract of one year's duration. [Schaumburg Community Consolidated School Dist. v. TRS](#), 985 N.E.2d 305 (Ill.App.4, 2013)(interpreting 105 ILCS 5/10-23.8a). The Ill. Statute of Frauds may make it impossible to execute an *oral* multi-year administrator contract or to *orally* extend a multi-year written contract (740 ILCS 80/1).

The Open Meetings Act requires all Ill. Municipal Retirement Fund (IMRF) employers, which includes school boards, to: (1) within 6 business days after approving a budget, web-post each employee's total compensation package if it exceeds \$75,000 per year; and (2) at least ~~6~~-six days before approval, web-post an employee's total compensation package if it is \$150,000 or more (5 ILCS 120/7.3). Conflicting opinions concern whether school districts must comply with these posting requirements for their employees who do not participate in IMRF. Contact the board attorney for advice.

Annually by Oct. 1, each school board must report to ISBE the base salary and benefits of the superintendent, administrators, and teachers it employs (105 ILCS 5/10-20.47). Before this annual reporting to ISBE, the information must be presented at a regular school board meeting and then posted on the district's website, if any.

3:40

Page 2 of 2

General School Administration

Administrative Personnel Other Than the Superintendent 1

Duties and Authority

The School Board establishes District administrative and supervisory positions in accordance with the District's needs and State law. This policy applies to all administrators other than the Superintendent, including without limitation, Building Principals. The general duties and authority of each administrative or supervisory position are approved by the Board, upon the Superintendent's recommendation, and contained in the respective position's job description. 2 In the event of a conflict, State law and/or the administrator's employment agreement shall control.

Qualifications

All administrative personnel shall be appropriately licensed and shall meet all applicable requirements contained in State law and Illinois State Board of Education rules. 3

Evaluation

The Superintendent or designee shall evaluate all administrative personnel and make employment and salary recommendations to the Board. 4

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. 105 ILCS 5/10-23.8a requires each principal, assistant principal, and other school administrator to be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators.

2 Job descriptions are advisable, but optional. See policy 5:30, *Hiring Process and Criteria*, for a discussion of job descriptions. An ISBE rule (23 Ill.Admin.Code §1.310) allows *divided service*, meaning that a superintendent or principal may be employed by two school districts or serve in ~~two~~ professional capacities provided that full-time equivalency results in a maximum of one full-time position. In districts with an enrollment of 100 or fewer, an individual may serve as superintendent/principal and teach up to ~~one-half~~ day.

3 105 ILCS 5/21B-20 and 5/21B-25 govern Professional Educator Licenses and administrative, principal, and chief school business official endorsements. The requirements for supervisory or administrative staff are in 23 Ill.Admin.Code §1.705; the requirements for endorsements are in 23 Ill.Admin.Code Part 25, Subpart E. Standards for Administrative Endorsements are in 23 Ill.Admin.Code Part 29.

The following option may be added at the end of this paragraph:

Administrative personnel must reside in the District within a specified period as provided in their initial employment agreement.

State law (105 ILCS 5/24-4.1) prohibiting residency requirements for teachers does not apply to non-instructional personnel, e.g., assistant principals. *Owen v. Kankakee School Dist.*, 632 N.E.2d 1073 (Ill.App.3, 1994). A board may impose residency requirements on a principal or assistant principal only if the individual's initial contract with the district made residency an express condition of employment or continued employment as a principal (105 ILCS 5/10-21.4a). Residency within a district may not be considered in determining a principal's compensation, assignment, or transfer (*Id.*).

4 All licensed school district employees must be evaluated (105 ILCS 5/24A-1, 23 Ill.Admin.Code §1.320). Each district must implement a performance evaluation plan for its principals and assistant principals (105 ILCS 5/24A-15, 23 Ill.Admin.Code §50.300). The statutory deadline for evaluating principals and assistant principals depends on whether the individual's employment contract is for one year or multiple years: (1) the evaluation of individuals on a single year contract must take place annually by March 1, and (2) the evaluation of individuals on a multi-year contract must take place by March 1 of the contract's final year (105 ILCS 5/24A-15). Individual contracts may require an earlier deadline. 105 ILCS 5/24A-3 requires that an individual who conducts an evaluation of a teacher, principal, or assistant principal, (1) be prequalified before undertaking any evaluation, and (2) participate in a regularly scheduled retraining program.

Administrators shall annually present evidence to the Superintendent of professional growth through attendance at educational conferences, additional schooling, in-service training, and Illinois Administrators' Academy courses, or through other means as approved by the Superintendent. ⁵

Administrative Work Year

The work year for administrators shall be the same as the District's fiscal year, July 1 through June 30, unless otherwise stated in the employment agreement. In addition to legal holidays, administrators shall have vacation periods as approved by the Superintendent. All administrators shall be available for work when their services are necessary. ⁶

Compensation and Benefits

The Board and each administrator shall enter into an employment agreement that complies with Board policy and State law. ⁷ The terms of an individual employment contract, when in conflict with this policy, will control.

The Board will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board no later than the March Board meeting or at such earlier time that will allow the Board to consider contract renewal and nonrenewal issues. ⁸

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

⁵ The professional growth reporting requirements in this paragraph are optional. However, professional development activities are required for license renewal. 105 ILCS 5/21B-45, amended by P.A. 99-591, eff. 1-1-17, contains the license renewal process, along with the professional development hours and carry over of these hours.

A school board must require the administrators who evaluate employees to complete training on the evaluation of licensed personnel that is provided or approved by ISBE (105 ILCS 5/24A-3 and 5/24A-20(a)(4)). Any prequalification process or retraining program developed and used by a school district must, at a minimum, meet the requirements of 23 Ill.Admin.Code Part 50, Subpart E. Administrative personnel must participate in this training (1) before they evaluate, and (2) at least once during each certificate renewal cycle (id.).

⁶ Legal holidays are provided by 105 ILCS 5/24-2.

⁷ According to 105 ILCS 5/10-23.8a, a principal, assistant principal, and any other school administrator must be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators.

The employment contract should be *in writing* even though the School Code does not require it to be written. Contact the board attorney for assistance. An administrator who is not working under a written contract is presumed to have a contract of one year's duration. Schaumburg Community Consolidated School Dist. v. TRS, 985 N.E.2d 305 (Ill.App.4, 2013)(interpreting 105 ILCS 5/10-23.8a). The Ill. Statute of Frauds may make it impossible to execute an *oral* multi-year administrator contract or to *orally* extend a multi-year written contract (740 ILCS 80/1).

The Open Meetings Act requires all Ill. Municipal Retirement Fund (IMRF) employers, which includes school boards, to: (1) within ~~6~~^{six} business days after approving a budget, web-post each employee's total compensation package if it exceeds \$75,000 per year; and (2) at least ~~6~~^{six} days before approval, web-post an employee's total compensation package if it is \$150,000 or more (5 ILCS 120/7.3). Conflicting opinions concern whether school districts must comply with these posting requirements for their employees who do not participate in IMRF. Contact the board attorney for advice.

Annually by Oct. 1, each school board must report to ISBE the base salary and benefits of the superintendent, administrators, and teachers it employs (105 ILCS 5/10-20.47). Before this annual reporting to ISBE, the information must be presented at a regular school board meeting and then posted on the district's website, if any.

⁸ State law does not address when the board should consider salary issues. The March deadline was chosen because the statutory notice deadline for reclassification is April 1 of the year in which a principal or assistant principal's contract expires unless the contract provides for an earlier deadline (105 ILCS 5/10-23.8b). Alternatively, the policy could require that recommendations be presented "in a timely manner."

Unless stated otherwise in individual employment contracts, all benefits and leaves of absence available to teaching personnel are available to administrative personnel. ⁹

LEGAL REF: 105 ILCS 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, 5/21B, and 5/24A.
23 Ill.Admin.Code §§1.310, 1.705, and 50.300; and Parts 25 and 29.

CROSS REF: 3:60 (Administrative Responsibility of the Building Principal), 5:30 (Hiring Process and Criteria), 5:250 (Leaves of Absence)

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

⁹ State law does not require that administrative and teaching personnel receive identical benefits and leaves of absence, but it does set the minimum in days and type for all certificated personnel.

3:50

Page 3 of 3

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Comment [KAS1]: The policy is unchanged. Footnotes are updated to reflect P.A. 99-713. It extended the time period during which a district may transfer money from specified funds for any purpose to 7-1-19.

Operational Services

Fiscal and Business Management¹

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 Illinois State Board of Education's "School District Budget Form."⁷ To the extent possible, the tentative budget shall be balanced as defined by the State Board of Education guidelines. The Superintendent shall complete a tentative deficit reduction plan if one is required by the State Board of Education guidelines.⁸

Preliminary Adoption Procedures

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

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

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 levys, 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 exhibits 6:235-API, E1, *Student Authorization for Access to the District's Electronic Networks*, and 6:235-API, E2, *Authorization for Access to the District's Electronic Networks*. Use of electronic networks in the curriculum is covered in 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.

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. The budget instructions from ISBE detail when a deficit reduction plan must be completed.

⁸ State law requires the budget to be balanced and, if not, a three-year deficit reduction plan must be developed (105 ILCS 5/17-1).

⁹ At least one public hearing must be held before final action 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).

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, and the public shall be invited to comment, question, or advise the Board.¹²

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.¹³ To the extent possible, the budget shall be balanced as defined by the State Board of Education; if not balanced, the Board will adopt a deficit reduction plan to balance the District's budget within ~~3~~^{three} years according to State Board of Education requirements.¹⁴

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.¹⁵

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.¹⁶
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.¹⁷
3. 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; 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.
4. Submit the annual budget, a deficit reduction plan if one is required by State Board of Education guidelines, and other financial information to the State Board of Education according to its requirements.¹⁸

Any amendments to the budget or Certificate of Tax Levy shall be made as provided in the School Code and Truth in Taxation Act.¹⁹

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

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 ~~5~~^{five} public places (105 ILCS 5/17-1).

¹² State law does not address what transpires during the budget hearing.

¹³ Required by 105 ILCS 5/17-1 and 5/17-3.2.

¹⁴ Required by 105 ILCS 5/17-1. See fn 8.

¹⁵ Required by 105 ILCS 5/10-7.

¹⁶ Required by 105 ILCS 5/17-1.2, *only if* the district has a website. Do not add this sentence unless the district has a website.

¹⁷ 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.

¹⁸ Required by 105 ILCS 5/17-1.

¹⁹ 105 ILCS 5/17-11 and 35 ILCS 200/18-55.

Budget Amendments

The Board may amend the budget by the same procedure as provided for in the original adoption.²⁰

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 loans²¹, interfund transfers²², transfers within funds²³, and transfers from the working cash fund or abatements of it, if one exists.²⁴

LEGAL REF.: 35 ILCS 200/18-55 et seq.
105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-2A, 5/17-3.2, 5/17-11, 5/20-5, 5/20-8, and 5/20-10.
23 Ill.Admin.Code Part 100.

CROSS REF.: 4:40 (Incurring Debt), 6:235 (Access to Electronic Networks)

ADMIN. PROC.: 6:235-API, E1 (Exhibit - Student Authorization for Access to the District's Electronic Networks), 6:235-API, E2 (Exhibit - Staff Authorization for Access to the District's Electronic Network Access)

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

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

²¹ 105 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).

²² 105 ILCS 5/17-2A contains the requirements for a permanent transfer. P.A. ~~98-13499-713~~ extended the time period during which a district may transfer money from specified funds for any purpose to July 1, 2016⁹.

²³ Transfers between the various items in any fund may not exceed in the aggregate ~~40-ten~~ percent of the total of such fund as set forth in the budget. If the aggregate exceeds ~~40-ten~~ percent, the board must amend the budget (105 ILCS 5/17-1).

²⁴ 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. Ventures v. Novak, 902 N.E.2d 744 (Ill.App. 2nd Dist., 2009); G.I.S. Venture v. Novak, 2014 IL App. (2d) 130244 (9/30/2014)). Abolishments (deplete all funds) of the working cash fund must still be transferred to the education fund only.

4:10

Page 3 of 3

Comment [KAS1]: The policy is unchanged. Cross References and a footnote is added to discuss the logistics of the Local Government Travel Expense Control Act (50 ILCS 150/, added by P.A. 99-604, eff. 1-1-17).

Operational Services

Use of Credit and Procurement Cards ¹

The Superintendent and employees designated by the Superintendent are authorized to use District credit and procurement cards to simplify the acquisition, receipt, and payment of purchases and travel expenses incurred on the District's behalf. ² Credit and procurement cards shall only be used for those expenses that are for the District's benefit and serve a valid and proper public purpose; they shall not be used for personal purchases. Cardholders are responsible for exercising due care and judgment and for acting in the District's best interests.

The Superintendent or designee shall manage the use of District credit and procurement cards by employees. It is the Board's responsibility, through the audit and approval process, to determine whether District credit and procurement card use by the Superintendent is appropriate.

In addition to the other limitations contained in this and other Board policies, District credit and procurement cards are governed by the following restrictions: ³

1. Credit and/or procurement cards may only be used to pay certain job-related expenses or to make purchases on behalf of the Board or District or any student activity fund, or for purposes that would otherwise be addressed through a conventional revolving fund. ⁴
2. The Superintendent or designee shall instruct the issuing bank to block the cards' use at unapproved merchants.

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

¹ If district employees or board members are issued credit and/or procurement cards, an ISBE rule requires this subject matter to be covered in policy and specifies its content (23 Ill.Admin.Code §100.70(d)). Add the following optional new paragraph if the district issues credit cards to board members:

The District may from time-to-time issue and/or authorize Board members to use District credit cards to simplify the payment of actual and necessary expenses as authorized in Board policy 2:125, *Board Member Compensation: Expenses*. The Board will determine whether a Board member's use of a District credit card is appropriate through the expense approval process and the annual audit. All other components of this policy apply to a Board Member's use of a District credit card.

See fn 19 in policy 2:125, *Board Member Compensation: Expenses* and ensure both policies are consistent in their treatment of this issue.

² The Local Government Travel Expense Control Act (50 ILCS 150/, added by P.A. 99-604, eff. 1-1-17) requires districts to regulate the reimbursement of all travel, meal and lodging expenses of board members and employees (50 ILCS 150/10). Consult the board attorney about how the Act affects the use of credit and procurement cards.

³ The policy's restrictions, numbered 1-10, correspond to the items that ISBE requires to be covered. Each item may be customized as long as the following items are covered as per 23 Ill.Admin.Code §100.70(d):

1. Identifies the allowable types of purchases;
2. Provides for the issuing bank to block the cards' use at unapproved merchants;
3. Limits the amount a cardholder can charge in a single purchase or within a given month;
4. Provides specific guidelines on purchases via telephone, fax, and the Internet;
5. Indicates the consequences for unauthorized purchases;
6. Requires cardholders to sign a statement affirming that they are familiar with the board's credit card policy;
7. Requires review and approval of purchases by someone other than the cardholder or user;
8. Requires submission of original receipts to document purchases; and
9. Forbids the use of a card to make purchases in a manner contrary to the requirements of Section 10-20.21 of the School Code [105 ILCS 5/10-20.21].
10. Indicates how financial or material rewards or rebates are to be accounted for and treated.

⁴ This limitation is from the introductory sentence in 23 Ill.Admin.Code §100.70(d).

3. Each cardholder, other than the Superintendent, may charge no more than \$500 in a single purchase and no more than \$1000 within a given month without prior authorization from the Superintendent. ⁵
4. The Superintendent or designee must approve the use of a District credit or procurement card whenever such use is by telephone, fax, and the Internet. Permission shall be withheld when the use violates any Board policy, is from a vendor whose reputation has not been verified, or would be more expensive than if another available payment method were used.
5. The consequences for unauthorized purchases include, but are not limited to, reimbursing the District for the purchase amount, loss of cardholding privileges, and, if made by an employee, discipline up to and including discharge.
6. All cardholders must sign a statement affirming that they are familiar with this policy. ⁶
7. The Superintendent shall implement a process whereby all purchases using a District credit or procurement card are reviewed and approved by someone other than the cardholder or someone under the cardholder's supervision.
8. Cardholders must submit the original, itemized receipt to document all purchases.
9. No individual may use a District credit or procurement card to make purchases in a manner contrary to State law, including, but not limited to, the bidding and other purchasing requirements in 105 ILCS 5/10-20.21, or any Board policy.
10. The Superintendent or designee shall account for any financial or material reward or rebate offered by the company or institution issuing the District credit or procurement card and shall ensure that it is used for the District's benefit.

LEGAL REF.: 105 ILCS 5/10-20.21.
23 Ill.Admin.Code §100.70(d).

CROSS REF.: 4:50 (Payment Procedures), 4:60 (Purchases and Contracts), 4:80 (Accounting and Audits), 4:90 (Activity Funds), 5:60 (Expenses)

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

⁵ The dollar caps are at the local board's discretion. An alternative follows: "The Superintendent shall limit the amount each cardholder may charge in a single purchase or within a given month and inform the issuing bank of these limitations."

⁶ See exhibit 4:55-E, *Cardholder's Statement Affirming Familiarity with Requirements for Using District Credit and/or Procurement Cards*.

4:55

Page 2 of 2

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DRAFT UPDATE

Operational Services

Purchases and Contracts

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 Board of Education policies.

Standards for Purchasing and Contracting

All purchases and contracts shall be entered into in accordance with 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. 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.

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

1. Supplies, materials, or work involving an expenditure in excess of \$25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 *et seq.*
4. Third party non-instructional services must comply with 105 ILCS 5/10-22.34c.
5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21. The Superintendent or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Superintendent or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget.

6. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10).

~~6.7.~~ The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Board policy 4:70, *Resource Conservation*.

~~7.8.~~ Each contractor with the District is bound by each of the following:

- a. In accordance with 105 ILCS 5/10-21.9(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS ~~5/10-21.9(c) and 5/21B-80(c)~~ to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) ~~prohibits any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (23) require each of its employees who will have direct, daily contact with~~

Comment [APowell1]:
105 ILCS 5/10-20.21(b-10),
added by P.A. 99-552
Issue 93, October 2016

Comment [APowell2]:
Updated in response to 105 ILCS 5/21B-80, amended by P.A. 99-667.
Issue 93, October 2016

DRAFT UPDATE

student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her.

- b. In accordance with 105 ILCS 5/24-5: (1) concerning each employee who begins providing services in the District after June 16, 2014, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease if the employee will have direct, daily contact with one or more student(s); and (2) require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Illinois Department of Public Health rules or order of a local health official.

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

LEGAL REF.: 105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-21.9, 5/10-22.34c, 5/19b-1 et seq., and 5/24-5.820 ILCS 130/.

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; ~~Criminal Background Check and/or Screening~~; Notifications)

ADOPTED: ~~December 10, 2014~~

Comment [APowell3]:

See 5:30-AP2, *Investigations*, for a list of offenses that 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.

Issue 93, October 2016

Comment [KAS1]: Policy is unchanged. Footnotes are updated in response to P.A. 99-794, eff. 1-1-17 (allowing property constructed or renovated by students as part of a curricular program to be sold through the services of a licensed real estate broker subject to certain requirements).

Operational Services

Accounting and Audits 1

The School District's accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*, as adopted by the Illinois State Board of Education, State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board. The Superintendent, in addition to other assigned financial responsibilities, shall report monthly on the District's financial performance, both income and expense, in relation to the financial plan represented in the budget.

Annual Audit 2

At the close of each fiscal year, the Superintendent shall arrange an audit of the District funds, accounts, statements, and other financial matters. The audit shall be performed by an independent certified public accountant designated by the Board and be conducted in conformance with prescribed standards and legal requirements. A complete and detailed written audit report shall be provided to each Board member and to the Superintendent. The Superintendent shall annually, on or before October 15, submit an original and one copy of the audit to the Regional Superintendent of Schools.

Annual Financial Report 3

The Superintendent or designee shall annually prepare and submit the Annual Financial Report on a timely basis using the form adopted by the Illinois State Board of Education. The Superintendent shall review and discuss the Annual Financial Report with the Board before it is submitted.

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. A board policy or resolution is required concerning revolving funds and petty cash (23 Ill.Admin.Code §100.70). This policy is intended to facilitate the board's fiscal oversight role. The last sentence of the first paragraph should be modified to align with local conditions. The *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing* replaced 23 Ill.Admin.Code; Part 110 *Program Accounting Manual* and 23 Ill.Admin Code Part 125 *Student Activity Funds and Convenience Accounts*. The *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing* is at 23 Ill.Admin.Code Part 100.

² Audit requirements are found in 105 ILCS 5/3-7 and 5/3-15.1, and 23 Ill.Admin.Code §100.110. The federal Single Audit Act adds audit requirements for federal programs (31 U.S.C. §7501 *et seq.*).

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center." Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." P.A. 96-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

The following optional sentence establishes an audit committee: "The Board will annually establish an audit committee to help the Board select an external auditor, confer with the auditor regarding the audit's scope, and oversee the audit process." **Note:** ~~all~~ All board committees are subject to the Open Meetings Act.

The following optional sentence establishes a competitive process for selecting the external auditor; it prevents a long-term relationship with an auditor and reduces the possibility of audits being too routine or friendly: "The Board will annually advertise a request for proposals to perform the external audit." Substitute "periodically" for "annually" if desired.

³ Requirements for the annual financial report are found in 105 ILCS 5/2-3.27 and 5/3-15.1; 23 Ill.Admin.Code §100.100. The last sentence of this section should be modified to align with local conditions.

Inventories 4

The Superintendent or designee is responsible for establishing and maintaining accurate inventory records. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost.

Disposition of District Property 5

The Superintendent or designee shall notify the Board, as necessary, of the following so that the Board may consider its disposition: (1) District personal property (property other than buildings and land) that is no longer needed for school purposes, and (2) school site, building, or other real estate that is unnecessary, unsuitable, or inconvenient. Notwithstanding the above, the Superintendent or designee may unilaterally dispose of personal property of a diminutive value.

Taxable Fringe Benefits 6

The Superintendent or designee shall: (1) require that all use of District property or equipment by employees is for the District's convenience and best interests unless it is a Board-approved fringe benefit, and (2) ensure compliance with the Internal Revenue Service regulations regarding when to report an employee's personal use of District property or equipment as taxable compensation.

Controls for Revolving Funds and Petty Cash 7

Revolving funds and the petty cash system are established in Board policy 4:50, *Payment Procedures*. The Superintendent shall: (1) designate a custodian for each revolving fund and petty cash fund, (2) obtain a bond for each fund custodian, and (3) maintain the funds in compliance with this policy, State law, and Illinois State Board of Education rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. Bank accounts for revolving funds are limited to a maximum balance of \$500.00. All expenditures from these bank accounts must be directly related to the purpose for which the account was established and supported with documentation, including signed invoices or receipts. All deposits into these bank accounts must be accompanied with a clear description of their intended purpose. The Superintendent or designee shall include checks written to reimburse revolving funds on the Board's monthly listing of bills indicating the recipient and including an explanation.

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

4 The Illinois Program Accounting Manual (IPAM) was repealed and replaced with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*. While these new rules contain much of the IPAM information, the information about inventories was not included. That information is still useful and may be found at www.isbe.state.il.us/sfms/pdf/ipam.pdf. The last sentence of this section should be modified to align with local conditions.

5 The requirements in this section are specified in 105 ILCS 5/5-22, amended by P.A. 99-794, eff. 1-1-17 ([allowing property constructed or renovated by students as part of a curricular program to be sold through the services of a licensed real estate broker subject to certain requirements](#)) and 5/10-22.8. A board that desires to act on the disposition of property having any value should use the following alternative to this section's ~~the~~ last sentence: "Notwithstanding the above, the Superintendent or designee may unilaterally dispose of worthless personal property."

6 The intent of this optional section is twofold: (1) to control personal use of district property and equipment, and (2) to ensure compliance with IRS rules. As to the first point, allowing personal use of district property or equipment is arguably prohibited by the Ill. Constitution, Art. VIII, Sec 1 which states: "Public funds, property or credit shall be used only for public purposes." As to the second point, any fringe benefit an employer provides is taxable and must be included in the recipient's pay unless the law specifically excludes it. See Publication 15-B (2008), *Employer's Tax Guide to Fringe Benefits*, www.irs.gov/pub/irs-pdf/p15b.pdf.

7 105 ILCS 5/10-20.19; 23 Ill.Admin.Code §100.70. This paragraph's contents are mandatory, except for the \$500 cap on the maximum balance of revolving funds. The cap amount may be changed or the following alternative used: "Each revolving fund shall be maintained in a bank that has been approved by the Board and established in an amount approved by the Superintendent consistent with the annual budget."

Control Requirements for Checks ⁸

The Board must approve all bank accounts opened or established in the District's or a District school's name or with the District's Federal Employer Identification Number. All checks issued by the School District must be signed by either the Treasurer or Board President, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

Internal Controls ⁹

The Superintendent is primarily responsible for establishing and implementing a system of internal controls for safeguarding the District's financial condition; the Board, however, will oversee these safeguards. The control objectives are to ensure efficient business and financial practices, reliable financial reporting, and compliance with State law and Board policies, and to prevent losses from fraud, employee error, misrepresentation by third parties, or imprudent employee action.

The Superintendent or designee shall annually audit the District's financial and business operations for compliance with established internal controls and provide the results to the Board. The Board may from time-to-time engage a third party to audit internal controls in addition to the annual audit.

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

⁸ This section is largely up to the local board's discretion; additional controls may be added. The following alternative to the second sentence will mandate two signatories for checks:

Two of the following individuals, the Treasurer, Board President, and/or Board Vice-President, shall sign all checks issued by the School District, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

A board must comply with State law requirements concerning the use of facsimile or electronic signatures on checks. The Secretary of State, Index Department, maintains certified manual signatures of officers authorized to sign checks (Uniform Facsimile Signature of Public Officials Act, 30 ILCS 320/). Electronic records and signatures are governed by the Electronic Commerce Security Act (5 ILCS 175/5). Attorneys disagree about the applicability of these laws to school districts.

⁹ This section is largely up to the local board's discretion. The annual audit must include a "review and testing of the internal control structure" (23 Ill.Admin.Code §100.110). This review's limited scope means that boards should not rely on it to reveal uncontrolled financial risks. The board's responsibility is to establish policy to safeguard the district's financial condition. Indeed, the oath of office includes this promise: "I shall respect taxpayer interests by serving as a faithful protector of the school district's assets." In this sample policy, the board sets the control objectives and the superintendent is responsible for developing an internal controls system.

Boards that wish to take a larger oversight role regarding internal controls may list the numbered sentences in the IASB sample administrative procedure 4:80-AP, *Checklist for Internal Controls*, as required inclusions in the superintendent's program for internal controls. This alternative, for insertion at the end of this section's first paragraph, follows:

The District's system of internal controls shall include the following:

1. All financial transactions must be properly authorized and documented.
2. Financial records and data must be accurate and complete.
3. Accounts payable must be accurate and punctual.
4. District assets must be protected from loss or misuse.
5. Incompatible duties should be segregated, if possible.
6. Accounting records must be periodically reconciled.
7. Equipment and supplies must be safeguarded.
8. Staff members with financial or business responsibilities must be properly trained and supervised, and must perform their responsibilities with utmost care and competence.
9. Any unnecessary weaknesses or financial risks must be promptly corrected.

LEGAL REF.: 105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.4, 5/10-20.19, 5/10-22.8, and 5/17-1 et seq.
23 Ill.Admin.Code Part 100.

CROSS REF.: 4:10 (Fiscal and Business Management), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 4:90 (Activity Funds)

DRAFT UPDATE

Operational Services

Transportation

The District shall make available free transportation for any student in the District who resides: (1) at a distance of one and one-half miles or more from his or her assigned school, unless the Board of Education has certified to the Illinois State Board of Education that adequate public transportation is available, or (2) within one and one-half miles from his or her assigned school where walking to school or to a pick-up point or bus stop would constitute a serious hazard due to vehicular traffic or rail crossing, and adequate public transportation is not available. A student's parent(s)/guardian(s) may file a petition with the Board requesting transportation due to the existence of a serious safety hazard. Free transportation service and vehicle adaptation is provided for a special education student if included in the student's individualized educational program. Non-public school students shall be transported in accordance with State law. Homeless students shall be transported in accordance with Section 45/1-15 of the Education for Homeless Children Act. Foster care students shall be transported in accordance with Section 6312(c)(5)(B) of the Elementary and Secondary Education Act.

Bus schedules and routes shall be determined by the Superintendent or designee and shall be altered only with the Superintendent or designee's approval and direction. In setting the routes, the pick-up and discharge points should be as safe for students as possible.

No school employee may transport students in school or private vehicles unless authorized by the administration.

Every vehicle regularly used for the transportation of students must pass safety inspections in accordance with State law and Illinois Department of Transportation regulations. The strobe light on a school bus may be illuminated only when the bus is actually being used as a school bus and (1) is stopping or stopped for loading or discharging students on a highway outside an urban area, or (2) is bearing one or more students.

All contracts for charter bus services must contain the clause prescribed by State law regarding criminal background checks for bus drivers.

Pre-Trip and Post-Trip Vehicle Inspection

The Superintendent or designee shall develop and implement a pre-trip or cellular radio telecommunication device and post-trip inspection procedure to ensure that the school bus driver: (1) tests the two-way radio and ensures that it is functioning properly before the bus is operated, and (2) walks to the rear of the bus before leaving the bus at the end of each route, work shift, or work day, to check the bus for children or other passengers in the bus.

Comment [APowell1]:

Required if the district receives Title I funds (20 U.S.C. §6312(c)(5)(B)). Districts are required to collaborate with the State or local child welfare agency to, by December 10, 2016, develop and implement clear written procedures governing how transportation to maintain children in foster care in the school of origin (when in their best interest) will be provided, arranged, and funded for the duration of their time in foster care. Effective December 10, 2016, ESEA foster care transportation requirements also apply to students awaiting foster care placement. See footnote 8 of this policy, available at PRESS Online, for a definition of *foster care student*.

Issue 93, October 2016

DRAFT UPDATE

LEGAL REF.: Elementary and Secondary Education Act, 20 U.S.C. §6312(c)(5)(B),
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.
105 ILCS 5/10-22.22 and 5/29-1 et seq.
105 ILCS 45/1-15.
625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813, 5/12-813.1, 5/12-815, 5/12-816,
5/12-821, and 5/13-109.
23 Ill.Admin.Code §§1.510 and 226.750; Part 120.
92 Ill.Admin.Code §440-3.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 5:120 (Ethics and Conduct), 5:280
(Educational Support Personnel - Duties and Qualifications), 6:140 (Education of
Homeless Children), 6:170 (Title I Programs), 7:220 (Bus Conduct)

ADOPTED: ~~April 8, 2015~~

Operational Services

Free and Reduced-Price Food Services 1

Notice

The Superintendent shall be responsible for implementing the District's free and reduced-price food services policy and all applicable programs. 2 3

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. A policy on eligibility for free and reduced-price meals is required by 7 C.F.R. §245.10 for districts participating in the National School Lunch or Breakfast Programs. See fn 2 below for more information about programs.

2 Every public school must have a free lunch program (School Breakfast and Lunch Program Act, 105 ILCS 125/4). Each school where at least 40% or more of the students are eligible for free or reduced-price lunches must operate a school breakfast program (Childhood Hunger Relief Act, 105 ILCS 126/15). A school district may opt-out if the expense reimbursement would not fully cover the costs of implementing and operating the breakfast program. To do so, the district must petition its regional superintendent by February 15. The regional superintendent, after a public hearing, and by March 15, informs the district of his or her decision. If the regional superintendent does not grant an exemption, the district must implement a school breakfast program by the first student attendance day of the next school year. However, the school district or a resident of the school district may appeal the regional superintendent's decision to the State Superintendent of Education.

School districts must, by February 15, promulgate a plan to serve breakfast and/or lunch at each school where 50% or more of the students are eligible for free or reduced-price school meals *and* have a summer school program operating during the summer months. 105 ILCS 126/20. School districts must implement these programs every summer as long as the school district has a school or schools that meet the criteria. If a school building with a 50% or greater free and reduced percentage does not operate a summer school program, the school district shall make information available regarding the number of children in the school eligible for free or reduced-price school meals upon request by a non-profit organization. A school district may utilize an *opt-out* provision if documentation shows the expense reimbursement would not fully cover the costs of implementing and operating a program. To do so, the district must petition its regional superintendent of schools by January 15. The regional superintendent, after a public hearing, and by March 1, informs the district of his or her decision. If the regional superintendent does not grant an exemption, the district must implement and operate the summer food program the summer following the current school year. However, the school district or a resident of the school district may appeal the regional superintendent's decision to the State Superintendent of Education who shall hear appeals and make a final decision no later than April 1. Resources for promulgating a plan for a summer breakfast or lunch (or both) food service program are available on ISBE's website at: www.isbe.net/nutrition/htmls/national_school_lunch.htm and www.isbe.net/nutrition/htmls/summer.htm.

105 ILCS 126/16, added by P.A. 99-850, eff. 1-1-17, requires qualifying school districts to implement and operate a breakfast after the bell program by the first school day of the 2017-2018 academic year in each of its school buildings where:

1. At least 70% or more of the students are eligible for free or reduced-price lunches based upon the previous year's October claim (for those schools that participate in the National School Lunch Program).
2. At least 70% or more of the students are classified as low-income according to the Fall Housing Data from the previous year (for those schools that do not participate in the National School Lunch Program), or
3. An individual building's site percentage for free or reduced-price meals of 70% or more (for those schools using Provision 2 under Section 11(a)(1) of the federal Richard B. Russell National School Lunch Act or the Community Eligibility Provision under Section 104(a) of the federal Healthy, Hunger-Free Kids Act of 2010 to provide universal meals).

Schools that fall below the applicable 70% threshold for two consecutive years may either continue participating in the program or discontinue it (Id.).

Each school under this Section may determine the breakfast after the bell service model that best suits its students. Service models include, but are not limited to, breakfast in the classroom, grab and go breakfast, and second-chance breakfast (Id. at c).

A district is not required to implement a breakfast after the bell program when it can demonstrate that:

- i) Delivery of school breakfasts effectively, as defined by 70% or more of free or reduced-price eligible students participating in the School Breakfast Program, or

Eligibility Criteria and Selection of Children 4

A student’s eligibility for free and reduced-price food services shall be determined by the income eligibility guidelines, family-size income standards, set annually by the U.S. Department of Agriculture and distributed by the Illinois State Board of Education.

Notification 5

At the beginning of each school year, by letter, the District shall notify students and their parents/guardians of: (1) eligibility requirements for free and reduced-price food service; (2) the application process; (3) the name and telephone number of a contact person for the program;⁶ and (4) other information required by federal law. The Superintendent shall provide the same information to: (1) informational media, the local unemployment office, and any major area employers contemplating layoffs;⁷ and (2) the District’s website (if applicable), all school newsletters, or students’ registration materials.⁸ Parents/guardians enrolling a child in the District for the first time, any time during the school year, shall receive the eligibility information.

Nondiscrimination Assurance 9

The District shall avoid publicly identifying students receiving free or reduced-price meals and shall use methods for collecting meal payments that prevent identification of children receiving assistance.

ii) Its reimbursement for the program would not fully cover its implementation and operation costs due to district-specific circumstances (a cost analysis must be submitted to the school board, the board must hold a public hearing, and the board must pass a resolution that the district cannot afford to operate a breakfast after the bell program).

A board must post the time, date, place, and general subject matter of the public hearing on its website and notify the State Board of Education at least 14 days prior to the hearing (fd. at (d)).

³ 7 C.F.R. §245.10(a)(1).

⁴ 7 C.F.R. §245.3; see also the subhead titled Household Eligibility Criteria on State Board of Education’s website at: www.isbe.net/nutrition/htmls/forms_sbn.htm#hej. If a child transfers from one district school to another district school, his or her eligibility for free or reduced price meals or for free milk, if previously established, is honored by the receiving school.

Beginning in the year 2011-2012, the U.S. Depts. of Agriculture and Education implemented a new claiming option for providing reimbursements to school districts that provide free breakfasts and lunches to all students in schools with significantly economically disadvantaged populations. It is called the Community Eligibility ~~Provision Option~~ (CEPO). For more information about qualifying for and claiming through this reimbursement method, see www.isbe.net/e-bulletins/pdf/02-12.pdf.

For districts that qualify for and claim the CEPO, insert the following sentence at the end of the first sentence:

From time to time, the income eligibility guidelines and standards may not be necessary when reimbursements for students’ free breakfasts and lunches are claimed through the U.S. Depts. of Agriculture and Education’s Community Eligibility ~~Provision Option~~ (CEPO). When claiming the CEPO, the District will follow its requirements.

All subheads in this policy that detail the legal requirements under State and federal laws continue to apply when CEPO is used and should remain in the policy.

⁵ 7 C.F.R. §245.5; 23 Ill.Admin.Code §305.10(c). Any changes in the eligibility criteria must be announced according to 7 C.F.R. §245.5(b).

⁶ 23 Ill.Admin.Code §305.10(c) requires notification of this one additional piece of information.

⁷ 7 C.F.R. §245.5.

⁸ 23 Ill.Admin.Code §305.10(c). Only one medium must be used; a board may choose one medium and delete the others from the policy or use them all.

⁹ 7 C.F.R. §§245.8 and 245.10(a)(4).

Appeal 10

A family may appeal the District's decision to deny an application for free and reduced-price food services or to terminate such services as outlined by the U.S. Department of Agriculture in 7 C.F.R. §245.7, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools. The Superintendent shall establish a hearing procedure for adverse eligibility decisions and provide by mail a copy of them to the family. The District may also use these procedures to challenge a child's continued eligibility for free or reduced-price meals or milk.

During an appeal, students previously receiving food service benefits shall not have their benefits terminated. Students who were denied benefits shall not receive benefits during the appeal.

The Superintendent shall keep on file for a period of three 3-years a record of any appeals made and the hearing record. The District shall also maintain accurate and complete records showing the data and method used to determine the number of eligible students served free and reduced-price food services. These records shall be maintained for three 3-years.

LEGAL REF.: U.S. Dept. of Agriculture, Food and Nutrition Service, National School Lunch Program, 7 C.F.R. Part 210.
U.S. Dept. of Agriculture, Food and Nutrition Service, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools, 7 C.F.R. Part 245.
105 ILCS 125/ and 126/
23 Ill.Admin.Code §305.10 et seq.

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.
10 7 C.F.R. §245.7. The minimal hearing requirements are also found there.

Comment [KAS1]: Policy is unchanged. Footnotes are updated to incorporate: (1) the Environmental Barriers Act, P.A. 99-582, eff. 1-1-17; (2) interfund transfers, P.A. 99-713; and (3) amendments to Health/Life and Safety Code for Public Schools at 23 Ill. Admin. Code Part 180, amended at 40 Ill. Reg. 3059.

Operational Services

Facility Management and Building Programs ¹

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, and (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. ²

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 \$12,500, 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.

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 School Act, 105 ILCS 140/). IASB sample policy 4:160, *Environmental Quality of Buildings and Grounds*, 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 (ADA) 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 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\(a-1\)](#)), and (3) all contractors must submit certain employment records to the district and the district must keep these records as required by law (820 ILCS 130/5, ~~amended by P.A.s 98-328 and 98-482~~).

² 105 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." ~~The Regional Office of Education for Suburban Cook County was abolished and its duties and powers transferred to the Intermediate Service Center for the area by P.A. 96-893.~~

³ This provision is optional and the amount may be changed. The \$12,500 spending limit is one-half of the bidding threshold for purchases or contracts (105 ILCS 5/10-20.21). 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.

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 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 Illinois 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.

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

4 Required by the Green Cleaning School Act (105 ILCS 140/) and Green Cleaning for Elementary and Secondary Schools (23 Ill.Admin.Code Part 2800). The ~~Guidelines and Specifications, established by the Ill. Green Government Coordinating Council~~ established Guidelines and Specifications, which state: "While not mandatory, schools should implement the practices set forth in the Recommendations section of these guidelines where applicable and appropriate. [a]ll schools may continue to use their current cleaning supplies, equipment and policies until ... such time as the supplies and equipment on hand as of May 9, 2008 are exhausted." See:

www.illinois.gov/gov/green/Documents/Illinois%20Green%20Cleaning%20Guidelines%20and%20Specifications.pdf
www.standingupforillinois.org/green/school-cleaning.php
www.standingupforillinois.org/uploads/20080122GCSAGuidelines.pdf

5 105 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, respectively. Among ~~its~~ their mandates ~~is~~ are the decennial safety survey report (105 ILCS 5/2-3.12(b); 23 Ill.Admin.Code §180.310). After 1-1-2015, 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), amended at 40 Ill. Reg. 3059, P.A. 98-882, eff. 1-1-2015). 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), amended at 40 Ill. Reg. 3059).

The Ill. Environmental Barriers Act (410 ILCS 25/) and the Ill. Accessibility Code (71 Ill.Admin.Code Part 400) ensure that "all applicable buildings and facilities in the State of Illinois, are so designed, constructed, and/or altered to assure the safety and welfare of all members of society and to be readily accessible to, and usable by, environmentally limited persons," (71 Ill.Admin.Code §400.110). Note: The Ill. Environmental Barriers Act, as amended by P.A. 99-582, eff. 1-1-17, deleted the term *environmentally limited person*, which until then had been defined in 410 ILCS 25/3 as "a person with a disability or condition who is restricted in the use of the built environment." Press boxes constructed on school property before 7-1-2009 do not have to comply with the Accessibility Code 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 5/10-20.4651; 23 Ill.Admin.Code 180.60(b)(4), amended at 40 Ill. Reg. 3059).

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).

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, ~~amended by P.A. 98-26~~). An expedited process may be available in emergency situations (Id.). A board may, 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 until June 30, 2016 (Id., ~~amended by P.A. 99-713~~).

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.). For environmental impact laws, see policy 4:160, *Environmental Quality of Buildings and Grounds*.

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

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.⁷ 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. The Board will make the final selection. The Superintendent or designee may name a room or designate 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.
 20 ILCS 3130/, Green Buildings Act.
 105 ILCS 5/2-3.12, 5/10-20.49, 5/10-22.36, 5/17-2.11, 140/, and 230/
 410 ILCS 25/, Environmental Barriers 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)

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

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

⁷ The board may want to include criteria for the committee, in which case the following is an option:

1. The committee will encourage input from the community, staff members, and students.
2. Consideration will be given to names of local communities, neighborhoods, streets, landmarks, historical considerations, and individuals who have made a contribution to the District, community, State, or nation.
3. The name will not duplicate or cause confusion with the names of existing facilities in the District.

Operational Services

Safety 1

Safety and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on District property or at a District event.² The Superintendent or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

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

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practices discussed for their building regarding the use of any available cellular telephones.⁵

School Safety Drill Plan 6

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

¹ State law requires a policy on several topics in this policy (see fn 7, 8 & 9) and otherwise controls this policy's content. Topics previously assigned to this code number were moved in May 2014 and placed in 4:100, *Insurance Management* and 4:175, *Convicted Child Sex Offender*; [Screening](#); [Notifications](#).

² This simple end statement should be discussed and altered accordingly before board adoption. Ask: what effect or impact will this statement have on the students and the community?

³ See administrative procedure 4:170-API, *Comprehensive Safety and Security Plan*. This procedure follows the recommendations in the "Guide for Developing High-Quality School Emergency Operations Plans," produced by a collaboration of federal agencies in 2013, available at rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. The *Guide* informs schools what they *need* to do, not *what* to do. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content.

⁴ Required by 105 ILCS 128/20(b) and 105 ILCS 5/10-20.14(c) for all students. See 4:110-AP3, *School Bus Safety Rules*.

⁵ 105 ILCS 5/10-20.28. Consider discussing with local law enforcement what its preference would be and encourage staff and students to follow the recommendation. A wave of 911 cell phone calls can jam phone lines. Student use of cell phones is addressed in 7:190, *Student Discipline Behavior*.

⁶ 625 ILCS 5/12-610.1(e) prohibits wireless telephone use at any time while operating a motor vehicle on a roadway in a school speed zone except for (1) highway construction or maintenance workers within their work zones, (2) any use for emergency purposes, (3) law enforcement officers or emergency responders performing their duties, (4) a person using a wireless telephone in voice-operated mode with or without use of a headset, and (5) a person with technology that uses a single button to initiate or terminate a voice communication, (e.g., HandsFreeLink®). 625 ILCS 5/12-813.1 limits cell phone use by school bus drivers; see policy 4:110, *Transportation*.

⁶ Each of the listed drills is required by the School Safety Drill Act, 105 ILCS 128/. Each drill's requirements are comprehensively covered in 4:170-API, *Comprehensive Safety and Security Plan*. For information about documenting minimum compliance with the School Safety Drill Act, see www.isbe.net/safety/guide.htm.

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

1. Three school evacuation drills
2. One bus evacuation drill
3. One severe weather and shelter-in-place drill
4. One law enforcement drill

Automated External Defibrillator (AED) 7

The Superintendent or designee shall implement a written plan for responding to medical emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act. The plan shall provide for an automated external defibrillator (AED) to be available according to State law requirements. This policy does not create an obligation to use an AED nor is it intended to create any expectation that an AED will be present or a trained person will be present and/or able to use an AED.

Carbon Monoxide Alarms 8

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

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

105 ILCS 5/2-3.12 authorizes ~~the Ill. State Fire Marshal or a qualified fire official to whom the Ill. State Fire Marshal has delegated his or her authority~~ fire officials to conduct ~~an annual fire safety inspection of each school building~~ routine fire safety checks, provided ~~the inspection is coordinated with the regional superintendent. See also 105 ILCS 5/3-14.21(c) and 23 Ill. Admin. Code §180.300(b). To effectively implement this law and ensure the education of students in the district is not disturbed, school officials should discuss with the State Fire Marshal and regional superintendent whether written notice may be provided~~ given to the principal requesting to schedule a mutually agreed upon time. ~~No more than two routine inspections may be made in a calendar year.~~

7 Each indoor and outdoor physical fitness facility serving at least 100 individuals must "adopt and implement a written plan for responding to medical emergencies that occur at the facility during the time that the facility is open for use by its members or by the public." The facility must file the plan with the Ill. Dept. of Public Health. In addition, each indoor facility must have at least one AED on the premises, and each outdoor facility must house an AED in a building, if any, that is within 300 feet of the outdoor facility. See the statute and administrative rules for the other numerous mandates: 210 ILCS 74/ (Physical Fitness Facility Medical Emergency Preparedness Act); 77 Ill. Admin. Code Part 527. Also see 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*.

8 105 ILCS 5/10-20.56, added by P.A. 99-470, ~~eff. 1-1-16~~. *Carbon monoxide detector* and *detector* mean a device having a sensor that responds to carbon monoxide gas and that is connected to an alarm control unit and approved in accordance with rules adopted by the Ill. State Fire Marshal. *Approved carbon monoxide alarm* or *alarm* means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Ill. State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association (430 ILCS 135/5).

Consult both the board attorney and the local fire officials about whether a school building is exempt from this law. Remove this subhead if the board attorney determines that every building across the entire school district is exempt. The law applies to school buildings that have or are close to any *sources of carbon monoxide*; however, it does not specifically define what that means. 430 ILCS 135/20 defines exemptions for residential units and may provide guidance on the exemption for schools. The law also fails to define *carbon monoxide emitting device*, which triggers the placement point in a school building for a carbon monoxide alarm or carbon monoxide detector.

Soccer Goal Safety ⁹

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

Unsafe School Choice Option ¹⁰

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

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

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

Emergency Closing

The Superintendent is authorized to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property. ¹¹

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

⁹ Include this section **only** if the school district owns and controls a movable soccer goal (Movable Soccer Goal Safety Act, a/k/a *Zach's Law*, 430 ILCS 145/). The Act requires: (1) organizations that own and control a movable soccer goal to create a soccer goal safety and education policy that outlines how the organization will specifically address the safety issues associated with movable soccer goals, and (2) the Ill. Dept. of Public Health to provide technical assistance materials, which are available at: www.idph.state.il.us/soccer-goal-safety/index.html illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/soccer-goal-safety.

¹⁰ This topic must be covered in board policy (105 ILCS 5/10-21.3a). See also 20 U.S.C. §7912. ISBE maintains a list of persistently dangerous schools. Districts having only one school may substitute the following for this paragraph:

The unsafe school choice option provided in State law permits students to transfer to another school within the District in certain situations. This transfer option is unavailable in this District because the District has only one school or attendance center. A student, who would otherwise have qualified for the choice option, or such a student's parent/guardian, may request special accommodations from the Superintendent or designee.

Districts with each grade in only one attendance center may substitute the following for this paragraph:

The unsafe school choice option provided in State law permits students to transfer to another school within the District in certain situations. This transfer option is unavailable in this District because each grade is in only one attendance center. A student, who would otherwise have qualified for the choice option, or such a student's parent/guardian, may request special accommodations from the Superintendent or designee.

¹¹ When a school is closed or its starting time is delayed due to adverse weather conditions or a health or safety threat, the district may count a partial day of attendance as a full day for State aid purposes, provided: (1) at least one hour of instruction was provided or the normal start time was delayed, and (2) the superintendent provides the Regional Superintendent or the Suburban Cook County Intermediate Service Center, whichever is appropriate, with a written report in support of the partial day within 30 days (105 ILCS 5/18-12). ~~P.A. 96-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to the Intermediate Service Center for the area.~~

105 ILCS 5/18-12.5 governs claiming state aid if a district closes one or more schools, but not all schools, during the public health emergency, as determined by ISBE in consultation with the Ill. Dept. of Public Health.

Annual Review ¹²

The Board or its designee will annually review each school building's safety and security plans, protocols, and procedures, as well as each building's compliance with the school safety drill plan.

LEGAL REF.: 105 ILCS 5/10-20.2, 5/10-20.56, 5/18-12, 5/18-12.5, and 128/
210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; ~~Criminal Background Check and/or Screening~~; Notifications), 4:180 (Pandemic Preparedness), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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

¹² State law requires each school board or its designee to conduct one annual meeting at which it reviews each building's emergency and crisis response plan, protocols, and procedures and each building's compliance with the school safety drill plan (105 ILCS 128/25 and 128/30). If the school board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The statutes contain detailed requirements. The board or its designee must complete a one-page report certifying that the review took place, among other things. The board or its designee must send a copy of the report to each participating party and the appropriate Regional Superintendent. ISBE's website contains an annual review checklist and report at www.isbe.net/safety/guide.htm.

4:170

Page 4 of 4

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Operational Services

Convicted Child Sex Offender; Criminal Background Check and/or Screening; Notifications 1

Persons Prohibited on School Property without Prior Permission

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions: 2

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

In all cases, the Superintendent or designee shall supervise a child sex offender whenever the offender is in a child’s vicinity. 3 If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school. 4

Comment [KAS1]: RENAMED The policy, Cross References, and footnotes are updated to:
 1. Align with 5:260, *Student Teachers*, which is updated in response to 105 ILCS 5/10-21.9, 5/21B-5, and 5/21B-80, amended by P.A. 99-667;
 2. Clarify School Code requirements for student teacher *fingerprint-based criminal history records checks*; and
 3. Incorporate continuous improvement. **PRESS** subscriber feedback overwhelming prefers that “students doing field or clinical experience other than student teaching” *not* be in the sample default policy language. State law does not require these individuals, along with resource persons and volunteers, to have fingerprint-based criminal history records checks.

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

- 1 The topic covered by this policy was previously a part of 4:170, *Safety*.
- 2 The Criminal Code, 720 ILCS 5/11-9.3, contains these requirements concerning a child sex offender’s presence on school property. An Illinois federal court denied a father’s request to enjoin a school’s policy that prohibited him, as a child sex offender, from attending his children’s school activities in *Doe v. Paris Union School Dist.*, No. 05-2249, 2006 WL 44304 (C.D.Ill., 2006). See also 8:30, *Visitors to and Conduct on School Property*.
- 3 720 ILCS 5/11-9.3. The statute assigns the child sex offender the “duty to remain under the direct supervision of a school official.” In order to ensure this happens and to protect students, the sample policy requires the superintendent or designee to supervise a child sex offender whenever the offender is in a child’s vicinity. See also 8:30, *Visitors to and Conduct on School Property*.
- 4 Aside from rumor and notoriety, there are three ways that school officials may learn that an enrolled student is a sex offender or a violent offender against youth:
 1. By being informed by the student or the student’s parent/guardian.
 2. Through the Illinois State Police Sex Offender Registry, www.isp.state.il.us/sor. A juvenile sex offender is listed there after the juvenile becomes 17 years old and will be listed for the remaining registration period (730 ILCS 150/2). The database is updated daily and allows searching by name, city, county, zip code, compliance status, or any combination thereof.
 3. By receiving notification from a law enforcement agency that a juvenile sex offender or juvenile violent offender against youth is enrolled in a school. The law enforcement agency having jurisdiction to register the juvenile must provide a copy of the offender registration form to the building principal and guidance counselor designated by the principal; the school must keep the registration form separately from the student’s school records (730 ILCS 152/121(b)).

Criminal Background Check and/or Screening ⁵

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

Notification to Parents/Guardians

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law. ⁶ The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. ⁷ This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

If a sex offender is enrolled in a school, guidelines for managing the sex offender's presence in school should be prepared. The components will depend on the situation but generally should include asking the parent/guardian of a sex offender below the age of 17 years for permission to share the information with certain staff for the protection of both the student and other students. In addition, the guidelines should include a supervision plan providing supervision for the student during all aspects of his or her school day. Finally, the guidelines must respect the privacy of juvenile records and comply with the Ill. School Student Records Act, 105 ILCS 10/. The board attorney should be consulted.

⁵ The law is silent with regard to screening volunteers and individuals in the proximity of a school. Screening and fingerprint-based criminal history records checks are different. See procedure 4:175-AP1, Criminal Offender Notification Laws: Screening, for further distinctions.

The School Code requires school districts to perform a fingerprint-based criminal history records check through (a) the Illinois State Police (ISP) for an individual's Criminal History Records Information (CHRI) and (b) the FBI's national crime information databases (105 ILCS 5/10-21.9(a), (a-5) and (a-6)).

Screening only involves checking an individual's name and address against publicly-available databases and information provided for local law enforcement like the: (1) Illinois Sex Offender Registry, www.isp.state.il.us/sor/, and (2) the Violent Offender Against Youth Registry maintained by the State Police, www.isp.state.il.us/cmvo/. See policy 5:30, Hiring Process and Criteria; procedure 5:30-AP2, Investigations; policy 6:250, Community Resource Person and Volunteers; and procedure 6:250-AP, Securing and Screening Resource Persons and Volunteers.

⁶ Sex Offender Community Notification Law, 730 ILCS 152/, and Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-105. Law enforcement officials must notify school districts of the names, addresses, and offenses of registered offenders residing in their respective jurisdictions who have committed sex offenses and violent offenses against youth (730 ILCS 152/120 and 154/95). These laws are silent with regard to what, if anything, districts do with the information. The Sex Offender Community Notification Law, however, provides immunity for "any person who provides, or fails to provide, information relevant to the procedures set forth in this Law," (730 ILCS 152/130).

Naming a contact person will facilitate communication and cooperation with local law enforcement agencies. Any school official may be used as the contact person, and boards may wish to have a contact person from each building. See administrative procedure 4:175-AP1, *Criminal Offender Notification Laws: Screening*, for implementing procedures.

⁷ State law requires a principal or teacher to notify the parents/guardians during school registration or parent-teacher conferences that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law, 730 ILCS 152/. In an effort to keep this policy aligned with good governance practices, the responsibility is given to the superintendent and building principal to manage. While State law allows the notification to be made during registration or parent-teacher conferences, the sample policy makes a notification mandatory just during registration to be sure that all parents/guardians are informed.

LEGAL REF.: 20 ILCS 2635/, Uniform Conviction Information Act.
720 ILCS 5/11-9.3.
730 ILCS 152/, Sex Offender Community Notification Law.
730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community
Notification Law.

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community
Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School
Property), 8:100 (Relations with Other Organizations and Agencies)

DRAFT UPDATE

General Personnel

Equal Employment Opportunity and Minority Recruitment

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

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

Administrative Implementation

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

Nondiscrimination Coordinator and Complaint Managers:

Please refer to either the student handbook or faculty handbook to obtain the names and contact information for the current district discrimination coordinator and complaint managers.

Minority Recruitment

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

DRAFT UPDATE

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.
Americans With Disabilities Act, Title I, 42 U.S.C. §12111 et seq.
Civil Rights Act of 1991, 29 U.S.C. §§621 et seq. 42 U.S.C. §1981 et seq. §2000e et seq., and §12101 et seq.
Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964), 42 U.S.C. §2000e et seq., 29 C.F.R. Part 1601.
Equal Pay Act, 29 U.S.C. §206(d).
Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.
Pregnancy Discrimination Act, 42 U.S.C. §2000e(k).
Title IX of the Education Amendments, 20 U.S.C. §1681 et seq., 34 C.F.R. Part 106.
Uniformed Services Employment and Reemployment Rights Act (1994), 38 U.S.C. §§4301 et seq.
Ill. Constitution, Art. I, §§17, 18, and 19.
105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.
Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/40.
Genetic Information Protection Act, 410 ILCS 513/25.
Ill. Whistleblower Act, 740 ILCS 174/.
Ill. Human Rights Act, 775 ILCS 5/1-103, 5/2-102, 5/2-103, and 5/6-101.
Religious Freedom Restoration Act, 775 ILCS 35/5.
Right to Privacy in the Workplace Act, 820 ILCS 55/10.
Employee Credit Privacy Act, 820 ILCS 70/.
Job Opportunities for Qualified Applicants Act, 820 ILCS 820 ILCS 75/.
Ill. Equal Pay Act of 2003, 820 ILCS 112/.
Victims' Economic Security and Safety Act, 820 ILCS 180/30.
Nursing Mothers in the Workplace Act, 820 ILCS 260.
~~23 Ill. Admin. Code §1.230.~~

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

ADOPTED: April 8, 2015

Comment [APowell1]:

Legal References are updated in response to Privacy in the Workplace Law, 820 ILCS 55/10(b), amended by P.A. 99-610, eff. 1-1-17.

Issue 93, October 2016

DRAFT UPDATE – REWRITTEN

5:60

General Personnel

Expenses¹

The Board regulates the reimbursement of all travel, meal, and lodging expenses by resolution.² Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the employee,³ (2) anyone's personal expenses,⁴ or (3) entertainment expenses.⁵ Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.⁶ Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following:⁷

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and title of the employee who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants.⁸

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

¹ State law controls this policy's content (105 ILCS 5/10-9, 5/10-10, and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); and the Local Government Travel Expense Control Act (ECA) 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 (regulation of travel expenses)). The deadline for implementation of this policy under the ECA is 7-1-17, but as a practical matter due to other requirements in the law, the implementation deadline will be 3-2-17; see the third paragraph in *fn* 3 of policy 2:125, *Board Member Compensation: Expenses*.

² 105 ILCS 5/10-22.32 states that "[t]he school board may advance to teachers and other certified employees the anticipated actual and necessary expenses incurred in attending meetings that are related to that employee's duties and will contribute to the professional development of that employee." This policy expands beyond those two categories (105 ILCS 5/10-20) of employees, and the limited purpose of attending meetings, to reimburse all employees for approved expenses necessary for the employee to perform his or her duties.

This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. If a local collective bargaining agreement contains a provision on expenses, consult the board attorney about how this policy may impact it.

³ 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17. See *fn*s 4 through 8 in policy 2:125, *Board Member Compensation: Expenses*, for more discussion.

For a sample resolution, see 2:125-E3, *Resolution to Regulate Expense Reimbursements*.

⁴ 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses to be advanced or reimbursed to any person other than a board member or employee of the district.

⁵ Optional. *Personal expenses* are not defined in 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17 or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State's widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

⁶ 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17.

⁷ *Id.*

⁸ 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32); the ECA requires submission of itemized, signed, standardized forms. Both 5:60-E1, *Employee Expense Reimbursement Form* and 5:60-E2, *Employee Estimated Expense Approval Form* incorporate *voucher* into the ECA's requirement to use standardized forms. See *fn* 11 below, and see also *fn* 20 of policy 2:125, *Board Member Compensation: Expenses*, for more discussion.

⁹ *Id.* at (2) and (3). This sentence mirrors the statute. The term *offices* is not defined. Consult the board attorney about whether inserting *job titles* would be sufficient for this requirement.

Comment [APowell1]:

This policy implements the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.

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Issue 93, October 2016

5:60

Page 1 of 4

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DRAFT UPDATE – REWRITTEN

3. The date(s) of the official business on which the expense advancement, reimbursement, or purchase order will be or was expended.⁹
4. The nature of the official business conducted when the expense advancement, reimbursement, or purchase order will be or was expended.¹⁰

Advancements

The Superintendent may advance expenses to teachers and other licensed employees for the anticipated actual and necessary expenses to be incurred while attending meetings that are related to their duties and will contribute to their professional development,¹¹ provided they fall below the maximum allowed in the Board's expense regulations.¹²

Expense advancement requests must be submitted to the Superintendent or designee on the District's standardized estimated expense approval form for employees. After spending expense advancements, employees must use the District's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts.¹³ Any portion of an expense advancement not used must be returned to the District.¹⁴ Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursements and purchase orders may be issued by the Superintendent or designee to employees, along with other expenses necessary for the performance of their duties, provided the expenses fall below the maximum allowed in the Board's expense regulations.

Expense reimbursements and purchase order approvals are not guaranteed and, when possible, employees should seek pre-approval of expenses¹⁵ by providing an estimation of expenses on the District's standardized estimated expense approval form for employees, except in situations when the expense is diminutive. When pre-approval is not sought, employees must seek reimbursement on the

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

⁹ *Id.* at (4).

¹⁰ *Id.*

¹¹ 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This statute addresses expense advancements for certain activities; its language pre-dates the ECA and is narrower than the ECA. This policy seeks to reconcile the differences by separating advancements into a separate subhead. See *fn* 7 above, and see also *fn* 20 of policy 2:125, *Board Member Compensation: Expenses*, for more discussion.

¹² 50 ILCS 150/10 and 20, added by P.A. 99-604, eff. 1-1-17. This phrase recognizes that while advancements are allowed in these situations, they should remain below the MARA set by the board.

¹³ 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17.

¹⁴ This paragraph's provisions are required by 105 ILCS 5/10-22.32.

¹⁵ Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense *pre-approvals*. 50 ILCS 150/20 states: "an *estimate* if expenses have not been incurred ..." or "a *receipt* ..." if the expenses have already been incurred," suggesting no pre-approval is necessary. However, pre-approval is a best practice, and an employee who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements* reflects the district's specific pre-approval requirements. For an example of a standardized *estimated* expense form that could be used as a form of pre-approval, see 5:60-E2, *Employee Estimated Expense Approval Form*. The form provides three methods for employees to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

DRAFT UPDATE – REWRITTEN

District's standardized expense reimbursement form for employees. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Use of Credit and Procurement Cards

Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*.

Exceeding the Maximum Allowable Expense Amount(s) ¹⁶

All requests for expense advancements, reimbursements, and purchase orders exceeding the maximum allowed in the Board's expense regulations may only be approved when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting.¹⁷

Registration ¹⁸

When possible, registration fees will be paid by the District in advance.

Travel

The least expensive method of travel will be used, provided that no hardship will be caused to the employee. Employees will be reimbursed for:

1. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Copies of airline tickets must be attached to the expense form.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
5. Taxis, airport limousines, or other local transportation costs.

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

¹⁶ 50 ILCS 150/ does not define *maximum allowable reimbursement amount* (MARA). Consult the board attorney to assist with a conversation about how much authority the board wishes to delegate to the superintendent for purposes of setting the MARA. Topics for these conversations are listed in *fn 8* of policy 2:125, *Board Member Compensation; Expenses*.

¹⁷ 50 ILCS 150/10 and 15. See *fn 13* in policy 2:125, *Board Member Compensation; Expenses* for more discussion.

¹⁸ Amend the language in subheads **Registration**, **Travel**, **Meals**, **Lodging**, and **Miscellaneous Expenses** to align with the MARA defined in the board's expense regulation resolution. See 2:125-E3, *Resolution to Regulate Expense Reimbursements* for a sample resolution.

See *fn 4* in policy 2:125, *Board Member Compensation; Expenses*, for further discussion about the board's power to set the expense regulations by policy (105 ILCS 5/10-20) and *fn 8* for considerations and unanswered questions surrounding its statutorily-imposed duty to set a MARA (50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17).

DRAFT UPDATE – REWRITTEN

Meals

Meals charged to the District should represent mid-fare selections for the hotel/meeting facility or general area.¹⁹ Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

Lodging

Employees should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Employees should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.

Miscellaneous Expenses

Employees may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF.: 105 ILCS 5/10-22.32.
Local Government Travel Expense Control Act, 50 ILCS 150/.

CROSS REF.: 2:125 (Board Member Compensation; Expenses), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards)

Comment [APowell2]:

OPTION: Alternatively, a board could set a daily limit on meal costs:
Employees will be reimbursed for meal costs and tips up to \$_____ per day consistent with the maximum reimbursement amount(s) set by the Board.

Ensure this amount is consistent with the Maximum Allowable Expense Amount set by the Board resolution.

Issue 93, October 2016

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

¹⁹ Alternatively, a board could set a daily limit on meal costs, such as:

Employees will be reimbursed for meal costs and tips up to \$_____ per day consistent with the maximum reimbursement amount(s) set by the Board.

But see also f/n 8 of policy 2:125, *Board Member Compensation; Expenses* and ensure this amount is consistent with the MARA set by the board resolution.

5:60

Page 4 of 4

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DRAFT UPDATE

General Personnel

Staff Development Program

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

The staff development program shall provide, at a minimum, at least once every 2 years, the in-service training of licensed school personnel and administrators on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.

The staff development program shall provide, at a minimum, once every 2 years, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct.

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

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

DRAFT UPDATE

7. Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.
8. Annual continuing education and/or training opportunities (*professional standards*) for school nutrition program directors, managers, and staff. Each school food authority's director shall document compliance with this requirement by the end of each school year and maintain documentation for a three year period.
9. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team. Individuals covered by this training mandate ~~were to must~~ initially complete the training by 9-1-2016.
- 9.10. Every two years, school personnel who work with students must complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting.

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

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

LEGAL REF.: 105 ILCS 5/2-3.62, 5/10-22.6(c-5), 5/10-22.39, 5/22-80(h), 5/10-23.12, 5/24-5, 25/1.15 and 110/3.
325 ILCS 5/4, Abused and Neglected Child Reporting Act.
745 ILCS 49/, Good Samaritan Act.
7 C.F.R. Part 210.
23 Ill.Admin.Code Part 525.

CROSS REF.: 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Ethics and Conduct), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:160 (English Learners), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Food Allergy Management Program), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)

ADOPTED: January 14, 2016

Comment [APowell1]:

105 ILCS 5/22-30(j-15), amended by P.A. 99-843. Consult the board attorney about whether:

a. All asthma action plans should require immediate 911 calls based upon In re: Estate of Jeffery Stewart, 2016 IL App (2d) 151117, No. 2-15-1117 (8-24-16). The court held that a teacher's failure to dial 911 immediately upon a student's asthma attack was *willful and wanton* conduct, subjecting the school district to liability under the Local Governmental Employees Tort Immunity Act.

b. The duties and responsibilities of the district when it asks for, but does not receive an asthma action plan from a parent/guardian and the logistics of distributing any received plans to those employees who need to know based upon Stewart, above.

Issue 93, October 2016

DRAFT UPDATE

General Personnel

Personal Technology and Social Media: Usage and Conduct

Definitions

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

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

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

Comment [APowell1]:

Updated in response to ongoing PRESS Advisory Board feedback.

Issue 93, October 2016

Usage and Conduct

All District employees who use personal technology and social media shall:

1. Adhere to the high standards for appropriate school relationships required by policy 5:120, *Ethics and Conduct* at all times, regardless of the ever-changing social media and personal technology platforms available. This includes District employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by policy 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Ethics and Conduct*; 6:235, *Access to Electronic Networks*; 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.
2. Choose a District-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Comply with policy 5:130, *Responsibilities Concerning Internal Information*. This means that personal technology and social media may not be used to share, publish, or transmit information about or images of students and/or District employees without proper approval. For District employees, proper approval may include implied consent under the circumstances.
5. Refrain from using the District's logos without permission and follow Board policy 5:170, *Copyright*, and all District copyright compliance procedures.
6. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation.

DRAFT UPDATE

7. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the District employee's personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media.
8. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of this policy.

The Superintendent shall:

1. Inform District employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Ethics and Conduct*.
2. Direct Building Principals to annually:
 - a. Provide their building staff with a copy of this policy.
 - b. Inform their building staff about the importance of maintaining high standards in their school relationships.
 - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that no one for the District, or on its behalf, requests of an employee or applicant access in any manner to his or her social networking website or requests passwords to such sites.
5. Periodically review this policy and any procedures with District employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

LEGAL REF.: 105 ILCS 5/21B-75 and 5/21B-80.
Ill. Human Rights Act, 775 ILCS 5/5A-102.
Code of Ethics for Ill. Educators, 23 Ill.Admin.Code §22.20.
Garcetti v. Ceballos, 547 U.S. 410 (2006).
Pickering v. High School Dist. 205, 391 U.S. 563 (1968).
Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria),
5:100 (Staff Development Program), 5:120 (Ethics and Conduct), 5:130
(Responsibilities Concerning Internal Information), 5:150 (Personnel Records),
5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal),
6:235 (Access to Electronic Networks), 7:20 (Harassment of Students
Prohibited), 7:340 (Student Records)

ADOPTED: August 13, 2014

Comment [APowell2]:

Right to Privacy in the Workplace Act, 820 ILCS 55/10(b), amended by P.A. 99-610, eff. 1-1-17 (also known as the *Facebook Password Law*). The exception for *professional accounts* is unlikely to be available to school districts; see the explanation in ¶ 15 in policy 5:30, *Hiring Process and Criteria*. The statute specifically permits an employer to: (1) maintain workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and (2) monitor usage of the employer's electronic equipment and electronic mail.

The statute does not prohibit an employer from (1) obtaining information about an applicant or an employee that is in the public domain or that is otherwise obtained in compliance with the statute, and (2) requesting or requiring an applicant or employee to share specific content that is reported to the employer to: (a) ensure compliance with laws and regulatory requirements, (b) investigate certain allegations as outlined in the law, and (c) prohibit certain outlined behaviors in the law. Finally, the statute does not apply to other types of personal technology that employees may use to communicate with students or other individuals, such as personal email or text messages on a personal phone. However, employers may access online accounts that the employer pays for or that an employee creates or maintains on behalf of the employer in connection with the employee's employment. Consult the board attorney about these issues.

Issue 93, October 2016

DRAFT UPDATE

General Personnel

Family and Medical Leave

Leave Description

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

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

An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period.

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

While FMLA leave is normally unpaid, the District will substitute an employee's accrued compensatory time-off and/or paid leave for unpaid FMLA leave. All policies and rules regarding the use of paid leave apply when paid leave is substituted for unpaid FMLA leave. Any substitution of paid leave for unpaid FMLA leave will count against the employee's FMLA leave entitlement. Use of FMLA leave shall not preclude the use of other applicable unpaid leave that will extend the employee's leave beyond 12 weeks, provided that the use of FMLA leave shall not serve to extend such other unpaid leave. Any full workweek period during which the employee would not have been required to work, including summer break, winter break and spring break, is not counted against the employee's FMLA leave entitlement.

FMLA leave is available in one or more of the following instances:

1. The birth and first-year care of a son or daughter.
2. The adoption or foster placement of a son or daughter, including absences from work that are necessary for the adoption or foster care to proceed and expiring at the end of the 12-month period beginning on the placement date.
3. The serious health condition of an employee's spouse, child, or parent.
4. The employee's own serious health condition that makes the employee unable to perform the functions of his or her job.
5. The existence of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or has been notified of an impending call or order to active duty, as provided in federal rules.
6. To care for the employee's spouse, child, parent, or next of kin who is a covered servicemember with a serious injury or illness, as provided by federal rules.

If spouses are employed by the District, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above, or to care for a parent with a serious health condition, or a combined total of 26 weeks for item 6 above.

An employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with federal rules.

DRAFT UPDATE

Eligibility

To be eligible for FMLA leave, an employee must be employed at a worksite where at least 50 employees are employed within 75 miles. In addition, one of the following provisions must describe the employee:

1. The employee has been employed by the District for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. However, the District will not consider any period of previous employment that occurred more than ~~seven~~ years before the date of the most recent hiring, except when the service break is due to fulfillment of a covered service obligation under the employee's Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301, et seq., National Guard or Reserve military service or when a written agreement exists concerning the District's intention to rehire the employee.
2. The employee is a full-time classroom teacher.

Requesting Leave

If the need for the FMLA leave is foreseeable, an employee must provide the Superintendent or designee with at least 30 days' advance notice before the leave is to begin. If 30 days' advance notice is not practicable, the notice must be given as soon as practicable. The employee shall make a reasonable effort to schedule a planned medical treatment so as not to disrupt the District's operations, subject to the approval of the health care provider administering the treatment. The employee shall provide at least verbal notice sufficient to make the Superintendent or designee aware that he or she needs FMLA leave, and the anticipated timing and duration of the leave. Failure to give the required notice for a foreseeable leave may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

Certification

Within 15 calendar days after the Superintendent or designee makes a request for certification for a FMLA leave, an employee must provide one of the following:

1. When the leave is to care for the employee's covered family member with a serious health condition, the employee must provide a complete and sufficient certificate signed by the family member's health care provider.
2. When the leave is due to the employee's own serious health condition, the employee must provide a complete and sufficient certificate signed by the employee's health care provider.
3. When the leave is to care for a covered servicemember with a serious illness or injury, the employee must provide a complete and sufficient certificate signed by an authorized health care provider for the covered servicemember.
4. When the leave is because of a qualified exigency, the employee must provide: (a) a copy of the covered military member's active duty orders or other documentation issued by the military indicating that the military member is on active duty or call to active duty status, and the dates of the covered military member's active duty service, and (b) a statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which FMLA leave is requested.

The District may require an employee to obtain a second and third opinion at its expense when it has reason to doubt the validity of a medical certification.

The District may require recertification at reasonable intervals, but not more often than once every 30 days. Regardless of the length of time since the last request, the District may request recertification when the, (1) employee requests a leave extension, (2) circumstances described by the original

Comment [APowell1]: 1.
2. Terminology is updated to match new regulatory language.
3.
4. A service break due to fulfillment of covered service obligation is found in the *Glossary of Terms Used in FMLA* available at: webapps.dol.gov/elaws/whd/fmla/3.aspx?Glossary_Word=ELIGIBLE.
E.
Issue 93, October 2016

DRAFT UPDATE

certification change significantly, or (3) District receives information that casts doubt upon the continuing validity of the original certification. Recertification is at the employee's expense and must be provided to the District within 15 calendar days after the request. The District may request recertification every 6 months in connection with any absence by an employee needing an intermittent or reduced schedule leave for conditions with duration in excess of 6 months.

Failure to furnish a complete and sufficient certification on forms provided by the District may result in a denial of the leave request.

Continuation of Health Benefits

During FMLA leave, employees are entitled to continuation of health benefits that would have been provided if they were working. Any share of health plan premiums being paid by the employee before taking the leave, must continue to be paid by the employee during the FMLA leave. A District's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late and the District notifies the employee at least 15 days before coverage will cease.

Changed Circumstances and Intent to Return

An employee must provide the Superintendent or designee reasonable notice of changed circumstances (i.e., within 2 business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Superintendent or designee, taking into consideration all of the relevant facts and circumstances related to an individual's leave situation, may ask an employee who has been on FMLA leave for 8 consecutive weeks whether he or she intends to return to work.

Return to Work

If returning from FMLA leave occasioned by the employee's own serious health condition, the employee is required to obtain and present certification from the employee's health care provider that he or she is able to resume work.

An employee returning from FMLA leave will be given an equivalent position to his or her position before the leave, subject to: (1) permissible limitations the District may impose as provided in the FMLA or implementing regulations, and (2) the District's reassignment policies and practices.

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

Implementation

The Superintendent or designee shall ensure that: (1) all required notices and responses to leave requests are provided to employees in accordance with the FMLA; and (2) this policy is implemented in accordance with the FMLA. In the event of a conflict between the policy and the FMLA or its regulations, the latter shall control. The terms used in this policy shall be defined as in the FMLA regulations.

LEGAL REF.:	Family and Medical Leave Act, 29 U.S.C. §2601 <u>et seq.</u> , 29 C.F.R. Part 825.
CROSS REF.:	5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:310 (Compensatory Time-Off), 5:330 (Sick Days, Vacation, Holidays, and Leaves)
ADOPTED:	August 17, 2016

DRAFT UPDATE

Professional Personnel

Teacher Qualifications

A teacher, as the term is used in this policy, refers to a District employee who is required to be licensed under State law. The following qualifications apply:

1. Each teacher must:
 - a. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
 - b. Provide the District Office with a complete official transcript of credits earned in institutions of higher education.
 - c. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the District Office with an official transcript of any credits earned since the date the last transcript was filed.
 - d. Notify the Superintendent of any change in the teacher's transcript.
2. All teachers ~~working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and mathematics) must be highly qualified~~ for those assignments as determined by State and federal law.

Comment [APowell1]:

Updated throughout to align with current teacher qualification requirements under ESEA, as amended by ESSA, and to delete former NCLB references that teachers be *highly qualified*.

Issue 93, October 2016

The Superintendent or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately licensed ~~and highly qualified for their assignments;~~
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers; and
3. Ensure parents/guardians of students in schools receiving Title I funds are notified: ~~(a) of their right to request their students' classroom teachers' professional qualifications, and (b) whenever their child is assigned to, or has been taught for 4 or more consecutive weeks by, a teacher who is not highly qualified.~~

LEGAL REF.: 20 U.S.C. §63192(c)(1)(A).
~~34 C.F.R. §200.55, 56, 57, and 61.~~
105 ILCS 5/10-20.15, 5/21-11.4, ~~5/21B-15, 5/21B-20, 5/21B-25, and 5/24-23.~~
23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

Comment [APowell2]:

Still exist but have not been updated yet to align with ESEA as amended by ESSA, and no notice of proposed rulemaking is pending. We will continue to cite them, if appropriate, and note the discrepancy in a footnote

Issue 93, October 2016

CROSS REF.: 6:170 (Title I Programs)

ADOPTED: August 13, 2014

DRAFT UPDATE

Prospect Heights School District 23

5:250

Professional Personnel

Leaves of Absence

Each of the provisions in this policy applies to all professional personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave, Personal Leave, Child-Rearing Leave, Leave for Service in the Military, Unpaid Leaves of Absence, Parental Leave, Association Leave, Other Extended Leaves

Please refer to the applicable collective bargaining agreement(s).

Child Bereavement Leave

State law allows a maximum of 10 unpaid work days for eligible employees (Family and Medical Leave Act of 1993, 20 U.S.C. §2601 et seq.) to take child bereavement leave. The purpose, requirements, scheduling, and all other terms of the leave are governed by the Child Bereavement Leave Act. Child bereavement leave allows for: (1) attendance by the bereaved staff member at the funeral or alternative to a funeral of his or her child, (2) making arrangements necessitated by the death of the staff member's child, or (3) grieving the death of the staff member's child, without any adverse employment action.

The leave must be completed within 60 days after the date on which the employee received notice of the death of his or her child. However, in the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of six weeks of bereavement leave during the 12-month period, subject to certain restrictions under State and federal law. Other existing forms of leave may be substituted for the leave provided in the Child Bereavement Leave Act. This policy does not create any right for an employee to take child bereavement leave that is inconsistent with the Child Bereavement Leave Act.

Sabbatical Leave

Sabbatical leave may be granted in accordance with the School Code.

General Assembly Leave

Leaves for service in the General Assembly, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in the General Assembly does not acquire tenure.

Leave for Employment in Department of Defense

The Board may grant teachers a leave of absence to accept employment in a Department of Defense overseas school.

School Visitation Leave

An eligible professional staff member is entitled to 8 hours during any school year, no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the teacher's child, if the conference or activity cannot be scheduled during non-work hours. Professional staff members must first use all accrued vacation leave, personal leave,

Comment [APowell1]:

Consult the board attorney about the Employee Sick Leave Act 820 ILCS 1917, added by P.A. 99-841, eff. 1-1-17. It prohibits employers from limiting the use of sick time to an employee's own illnesses and allows employees to use employer-provided sick leave to care for an ill or injured family member or to attend a medical appointment with a family member. The law defines family members as a child (biological, adopted, stepchild, or legal ward), spouse, domestic partner, sibling, parent, mother- or father-in-law, grandchild, grandparent, or stepparent (Id. at 191/10(b)). Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury.

Issue 93, October 2016

Comment [APowell2]:

820 ILCS 154/, added by P.A. 99-703 requires employers to offer this unpaid leave to employees that are eligible employees under FMLA. (29 U.S.C. 2601 et seq.)

The Act also provides that the leave must be completed within 60 days of the employee learning of the death of his or her child, as defined by 820 ILCS 154/, added by P.A. 99-703. However, that 60 day limitation does not apply where more than one child dies in a 12-month period. There may be times where an employer may want to grant more than 10 unpaid work days, e.g., when a deceased child lived in a foreign country, etc. Consult the board attorney to resolve the complexities of determining whether an employee is an eligible employee under the FMLA that would trigger this Act.

Issue 93, October 2016

5:250

Page 1 of 2

DRAFT UPDATE

compensatory leave, and any other leave that may be granted to the professional staff member, except sick, and disability leave.

The Superintendent shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act.

Leaves for Victims of Domestic or Sexual Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action.

The Victims' Economic Security and Safety Act governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, if the District employs at least 50 employees, an employee is entitled to a total of 12 work weeks of unpaid leave during any 12-month period. Neither the law nor this policy creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. §2601 *et seq.*).

Leaves to Serve as an Officer or Trustee of a Specific Organization

Upon request, the Board will grant: (1) an unpaid leave of absence to an elected officer of a State or national teacher organization that represents teachers in collective bargaining negotiations, (2) twenty days of paid leave of absence per year to a trustee of the Teachers' Retirement System in accordance with 105 ILCS 5/24-6.3, and (3) a paid leave of absence for the local association president of a State teacher association that is an exclusive bargaining agent in the District, or his or her designee, to attend meetings, workshops, or seminars as described in 105 ILCS 5/24-6.2.

Leave to Serve as an Election Judge

Any staff member who was appointed to serve as an election judge under State law may, after giving at least 20-days' written notice to the District, be absent without pay for the purpose of serving as an election judge. The staff member is not required to use any form of paid leave to serve as an election judge. No more than 10% of the District's employees may be absent to serve as election judges on the same election day.

LEGAL REF.: 10 ILCS 5/13-2.5
20 ILCS 1805/30.1 *et seq.*
820 ILCS 154/
105 ILCS 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.
820 ILCS 147/ and 180/.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:330 (Educational Support Personnel - Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: ~~July 13, 2016~~

DRAFT UPDATE

Professional Personnel

Student Teachers

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. No individual who has been convicted of a criminal offense listed in that would subject him or her to license suspension or revocation pursuant to Section 5/21B-80 of the School Code or who has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987 is permitted to student teach or complete field or other clinical experience.

Before permitting an individual to student teach or begin a required internship participate in any field experience in the District, the Superintendent or designee shall ensure that:

1. The District performed a 105 ILCS 5/10-21.9(g) complete criminal history records check as described below; and
2. The individual furnished evidence of physical fitness to perform assigned duties and freedom from communicable disease pursuant to 105 ILCS 5/24-5.

A 105 ILCS 5/21.9(g) complete criminal history records check pursuant to 105 ILCS 5/10-21.9 shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105, amended by 97-154).

The School Code requires each individual student teaching or beginning a required internship to must provide the District with written authorization for, and pay the costs of, his or her 105 ILCS 5/21.9(g) criminal history records check (including any applicable vendor's fees). Upon receipt of this authorization and payment, the Superintendent or designee will submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department of State Police. T, and the Superintendent or designee will provide each student teacher with a copy of his or her report.

Each student teacher must provide written authorization for, and pay the costs of, his or her criminal history records check (including any applicable vendor's fees), and the Superintendent or designee will provide each student teacher with a copy of his or her report.

Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities. A teacher may be eligible for Continuing Professional Development Units (CPDU) for supervising a student teacher or teacher education candidate in clinical supervision.

Comment [APowell1]:

P.A. 99-667 amended the School Code at 105 ILCS 5/10-21.9, 5/21B-15, and 5/21B-80(b) to carve out an exception allowing individuals with convictions involving certain drug offenses to obtain educator licensure or reinstate a license suspension/revocation seven years after the end of an individual's sentence for these certain drug offenses. See 5:30-AP2, *Investigations*, for a list of these carved-out drug offenses.

Issue 93, October 2016

Comment [APowell2]:

Updated to clarify School Code requirements for student teacher *complete criminal history records checks*. 105 ILCS 5/10-21.9(g) applies to individuals who will be student teachers or who are beginning a required internship.

PRESS subscriber feedback overwhelmingly prefers that "students doing field or clinical experience other than student teaching" *not* be in the sample default policy language.

OPTION: For boards that want to include students participating in any field or clinical experience, amend this phrase to state "Before permitting an individual to student teach, ~~or begin a required internship, or participate in any field experience in the District, ...~~"

Issue 93, October 2016

Comment [APowell3]:

Repealed, eff. 12-27-13 (School Code provision, 105 ILCS 5/21-14) and eff. 6-30-14 (Administrative Code provision, 23 Ill. Admin. Code 25.875).

Issue 93, October 2016

DRAFT UPDATE

LEGAL REF.: Adam Walsh Child Protection and Safety Act, P.L. 109-248.
Uniform Conviction Information Act, 20 ILCS 2635/1.
105 ILCS ~~5/10-21.9, 5/21-14(e)(3)(E)(viii), 5/10-22.34, and 5/24-5.~~
~~23 Ill. Admin. Code §25.875.~~

CROSS REF.: 5:190 (Teacher Qualifications), 4:175 (Convicted Child Sex Offender; ~~Criminal~~
~~Background Check and/or Screening~~; Notifications)

ADOPTED: ~~December 10, 2014~~

DRAFT UPDATE

Prospect Heights School District 23

5:280

Educational Support Personnel

Duties and Qualifications

All support staff: (1) must meet qualifications specified in job descriptions, (2) must be able to perform the essential tasks listed and/or assigned, and (3) are subject to Board of Education policies as they may be changed from time to time at the Board's sole discretion.

Paraprofessionals

Paraprofessionals provide supervised instructional support. Service as a paraprofessional requires an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE).

Individuals with only non-instructional duties (e.g., providing technical support for computers, providing personal care services, or performing clerical duties) are not paraprofessionals, and the requirements in this section do not apply. In addition, individuals completing their clinical experiences and/or student teaching do not need to comply with this section, provided their service otherwise complies with ISBE rules.

Noncertificated and Unlicensed Personnel Working with Students and Performing Non-Instructional Duties

Noncertificated and unlicensed personnel performing non-instructional duties may be used:

1. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (e.g., computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities;
2. As supervisors, chaperones, or sponsors for non-academic school activities; or
3. For non-teaching duties not requiring instructional judgment or student evaluation.

Nothing in this policy prevents a noncertificated person from serving as a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval.

Coaches and Athletic Trainers

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership. Regardless of whether the athletic activity is governed by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automated External Defibrillator user according to rules adopted by the Illinois Department of Public Health. Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers Practice Act, be an athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law.

Bus Drivers

All school bus drivers must have a valid school bus driver permit. The Superintendent or designee shall inform the Illinois Secretary of State, within 30 days of being informed by a school bus driver, that the bus driver permit holder has been called to active duty. New bus drivers and bus drivers who are returning from a lapse in their employment are subject to the requirements contained in Board policy 5:30, *Hiring Process and Criteria* and Board policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

5:280

Page 1 of 2

DRAFT UPDATE

LEGAL REF.: ~~No Child Left Behind Act of 2001, 20 U.S.C. §6319(c).~~
34 C.F.R. §§200.58 and 200.59.
105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.
625 ILCS 5/6-104 and 5/6-106.1.
23 Ill.Admin.Code §§1.630 and 25.510.

Comment [APowell1]:
Section 6319(c) of NCLB was repealed in its entirety by ESSA.
Issue 93, October 2016

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:35 (Compliance with the Fair Labor Standards Act), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Resource Persons and Volunteers)

ADOPTED: ~~August 13, 2014~~

DRAFT UPDATE

Educational Support Personnel

Sick Days, Vacation, Holidays, and Leaves

Each of the provisions in this policy applies to all educational support personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave, Association Leave, Other Extended Leaves of Absence, Unpaid Leaves of Absence

Please refer to the applicable collective bargaining agreement(s).

Parental Leave

Please refer to the applicable collective bargaining agreement(s).

Sick and Bereavement Leave

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

Full or part-time educational support personnel who work at least 600 hours per year receive 10 paid sick leave days per year. Part-time employees who work at least half-time are entitled to sick days on the same basis as full-time employees, but the pay will be based on the employee's average number of part-time hours per week. Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year. This policy is the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon a District employee's retirement under the Illinois Municipal Retirement Fund.

Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption. The Superintendent and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after 3 days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than 3 days for personal illness, the District shall pay the expenses incurred by the employee.

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.

Vacation

Please refer to the applicable collective bargaining agreement(s).

Comment [APowell1]:

Consult the board attorney about the Employee Sick Leave Act 820 ILCS 191/, added by P.A. 99-841, eff. 1-1-17. It prohibits employers from limiting the use of sick time to an employee's own illnesses and allows employees to use employer-provided sick leave to care for an ill or injured *family member* or to attend a medical appointment with a family member. The law defines family members as a child (biological, adopted, stepchild, or legal ward), spouse, domestic partner, sibling, parent, mother- or father-in-law, grandchild, grandparent, or stepparent (Id. at 191/10(b)). Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury.

Issue 93, October 2016

DRAFT UPDATE

For employees not covered by a current applicable bargaining agreement:

Twelve-month educational support professionals who are not members of the bargaining unit shall be entitled to paid vacation as follows:

<u>Length of Employment</u>	Duration of Vacation
<u>From: Beginning July 1 of</u>	
Years 1-4	10 Days
Year 5-9	15 Days
Years 10+	20 Days

Part-time twelve-month educational support professionals will receive a pre-rated allocation of vacation leave based upon the percentage of time they work. The educational support professional must have the authorization of the immediate supervisor prior to taking vacation leave. Vacation leave in excess of ten consecutive days requires the approval of the Superintendent.

Educational support professionals may carry over unused vacation days for use during the subsequent fiscal year July 1 – June 30. Unused vacation days from the current year which are not used in the next fiscal year will be forfeited; they do not accumulate.

In accordance with law, the Board will compensate the educational support professional for any unused vacation days upon termination of service to the district. The compensation will be at the salary rate prevailing at termination.

Holidays

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

Unless the District has a waiver or modification of the School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a holiday listed below, District employees will not be required to work on:

New Year's Day	Labor Day
Martin Luther King Jr.'s Birthday	Columbus Day
Abraham Lincoln's Birthday	Veteran's Day
Casimir Pulaski's Birthday	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

A holiday will not cause a deduction from an employee's time or compensation. The District may require educational support personnel to work on a school holiday during an emergency or for the continued operation and maintenance of facilities or property.

Twelve-Month Employee Leave

Twelve-month educational support professionals who are not members of the bargaining unit will be annually entitled to fifteen (15) days of paid sick leave, three (3) days of personal leave and three (3) bereavement days. Annual unused sick leave and personal days will be added to the employee's accumulated total of paid sick leave; there will be no limit on the accumulated total.

Personal Leave

Please refer to the applicable collective bargaining agreement(s).

DRAFT UPDATE

Leave to Serve as a Trustee of the Illinois Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Illinois Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3.

Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Board policy 5:250, *Leaves of Absence*:

1. Leaves for Service in the Military and General Assembly.
2. School Visitation Leave.
3. Leaves for Victims of Domestic or Sexual Violence.
4. Child Bereavement Leave.
5. Leave to serve as an election judge.

LEGAL REF.: 20 ILCS 1805/30.1 et seq.
105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.
820 ILCS 147 and 180/
820 ILCS 154/
School Dist 151 v. ISBE, 507 N.E.2d 134 (Ill.App.1, 1987); Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (Ill.App.1, 1965).

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Professional Personnel - Leaves of Absence)

ADOPTED: July 13, 2016

Comment [APowell2]:

820 ILCS 154, added by P.A. 99-703 requires employers to offer this unpaid leave to employees that are *eligible employees* under FMLA. (29 U.S.C. 2601 et seq.)

See the Child Bereavement Leave subhead in policy 5:250, *Professional Personnel - Leaves of Absence*, for further information.

Issue 93, October 2016

Prospect Heights School District 23

Finance Committee Meeting

Tuesday, December 6, 2016
4:00 PM
Grotsky Administration Center

AGENDA

- I. Call to order
- II. Discussion items
 - A. Potential District 23/214 joint extra-curricular project
 - B. SSCIP FY17 renewal of insurance
 - C. FY16 ISBE financial recognition (based on FY15 annual financial review)
- III. Old business -- item(s) discussed at previous Finance Committee meeting(s)
 - A. 2016 real property tax levy
- IV. New business -- Item(s) to be discussed at future Finance Committee meeting(s)
 - A. Financial projection presentation (January 2017 meeting)
 - B. Update on 10-year Health/Life Safety survey results and long range capital plan
- V. Adjournment

MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF EDUCATION
PROSPECT HEIGHTS SCHOOL DISTRICT 23
NOVEMBER 9, 2016
GRODSKY ADMINISTRATION CENTER

Mari-Lynn Peters, Board President, called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

PRESENT: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

ABSENT: Mr. Bednar, Mr. Bowes

ALSO

PRESENT: Dr. Deb Wilson, Superintendent; Dr. Don Angelaccio, Assistant Superintendent for Instruction; Mr. Micheal DeBartolo, Business Manager

RECOGNITION OF VISITORS AND VISITOR PARTICIPATION

No one addressed the Board.

COMMUNICATIONS

REQUEST BY BOY SCOUT TROOP #37 FOR TOY DRIVE

Members of Boy Scout Troop #37 came to make a request to place donation boxes in the District 23 schools as part of their annual toy drive. They collect donations of new toys, wrap them, and take them to local hospitals and facilities like Little City. The Board granted their request. The boxes will be placed in the buildings around November 18.

SCHOOL BOARD RECOGNITION DAY NOVEMBER 15, 2016

Dr. Wilson thanked the Board for all they do for the students, staff, and community and expressed appreciation for their continued service.

NATIONAL EDUCATION WEEK NOVEMBER 14-18

The Board will provide caramel apples to all the staff on Wednesday, November 16 as a token of appreciation to all our educators.

THANK YOU NOTE TO THE BOARD OF EDUCATION

A note of thanks for flowers sent to a staff member for the death of a parent was written to the Board.

COMMITTEE REPORTS

Buildings and Sites: Mr. DeBartolo reported on the committee meeting held on November 2nd. The committee heard from the Director of Buildings & Grounds, Brian Rominski, about a workshop he went to on “green cleaning.” Mr. Rominski is reviewing the district’s cleaning protocols and updating them. Training sessions have been arranged for custodial staff to update their methods. The committee discussed a contract that is in the Consent Agenda for window repair at Eisenhower. Honeywell, the Board, and the engineering firm are working on revisions in unit programming to ensure the geothermal is running as efficiently as possible. Eisenhower will also be getting their new playground equipment, once it is delivered. New stage curtains will be ordered for the MacArthur theater. The committee discussed the 10-year life safety survey and plan, and another meeting with the architects is planned for next week. The 10-year Life Safety Plan will be brought to the Board in December or January.

IASB/ED-RED: Mrs. Botwinski reported that the ED-RED meeting last Friday was cancelled. A group went to the IASB Fall Dinner Meeting, which included a presentation on STEAM concepts. As the Board’s delegate at the resolutions council at the Triple I conference, Mrs. Botwinski reviewed two of the resolutions with the Board to ensure that the Board is in agreement with how she plans to vote concerning the resolutions.

Policy: No report.

School/Community Relations: Mrs. Olsen reported that the newsletter has been released to the public. A communications firm group has been contracted to develop a community survey and they will meet in December. A second phase of planning is scheduled for mid December, and the group will report to the Board in February.

NSSEO: Mrs. Botwinski reported on the NSSEO Governing Board's November meeting. A short executive session was held for a negotiations update. The Stars presentation was given by a young woman from District 211. She recently aged out of the program, and talked about what she was doing and where she was working. There was also a presentation on the staff mentoring program. The rest of the meeting was routine.

Finance: Mrs. Peters reported on the Finance Committee meeting held on November 1st. They discussed the annual audit that is being presented for acceptance under the Superintendent's Report. The committee also discussed the estimated tax levy, enrollment projections, and the transportation bid.

Negotiations: No report.

CONSENT AGENDA

APPROVAL OF REGULAR MEETING MINUTES

Mrs. Olsen moved and Mrs. Botwinski seconded the motion to approve the Regular Meeting Minutes of October 13, 2016 as presented.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

APPROVAL OF THE EXECUTIVE SESSION MEETING MINUTES

Mrs. Olsen moved and Mrs. Botwinski seconded the motion to approve the Executive Session Minutes of October 13, 2016 as presented.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

PERSONNEL REPORT

Mrs. Olsen moved and Mrs. Botwinski seconded the motion to approve the Personnel Report as presented, a copy of which is included with these minutes.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

Mrs. Peters then announced Steve Lee's retirement at the end of the school year, and thanked him for all he has done for MacArthur students.

FINANCIAL REPORT

Mr. Chester moved and Mrs. Olsen seconded the motion to approve the Financial Report as presented of bills in the amount of \$683,159.63 and the payroll for November in the amount of \$1,128,896.15.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

SUPERINTENDENT'S REPORT

APPROVAL TO ACCEPT DR. WILSON'S NOTICE OF RETIREMENT AND AMEND CONTRACT TO REFLECT JUNE 30, 2017 AS EFFECTIVE DATE.

Mrs. Peters announced Dr. Wilson's intention to retire. The Board needs to vote to accept the amendment to her contract allowing her to retire effective June 30, 2017.

Mrs. Olsen moved and Mrs. Botwinski seconded the motion to accept Dr. Wilson's notice of retirement as presented.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

APPROVAL TO ENTER INTO A 4-YEAR CONTRACT WITH DR. DON ANGELACCIO
PRECEDED BY A 1-YEAR ASSISTANT SUPERINTENDENT'S CONTRACT

Dr. Wilson explained that as part of the transition plan for Administration, Dr. Angelaccio will assume the position of District Superintendent, and his contract needs to be approved.

Mrs. Olsen moved and Mrs. Botwinski seconded the motion to approve the contract for Dr. Angelaccio as presented.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

E.C.R.A. REPORT ON STUDENT GROWTH DATA

Dr. Wilson introduced Dr. John Gatta of ECRA who gave a PowerPoint presentation explaining new federal mandates and how they will affect District 23. There has been a major policy shift towards more autonomy for states and local districts to define educational quality and implement accountability systems. Dr. Gatta talked about the visionary aspect, and what challenges may arise, as the burden of collecting, storing and reporting data is shifted to the districts.

The other major aspect is that outcomes are widening to include more than test scores in order to change the way we think about students and their college readiness, and providing opportunities to develop different career pathways.

PROSPECT HEIGHTS WATER RECLAMATION DISTRICT (MWRD) PROJECT

The City of Prospect Heights has been unable to provide information regarding liability issues around the water reclamation project. Therefore, the vote will be tabled to December.

ACCEPTANCE OF ANNUAL DISTRICT INDEPENDENT FINANCIAL AUDIT

Mr. DeBartolo previously distributed copies of the 2015-2016 annual audit provided by Marshall and Pease to the Board members. All business and transactions were found to be well documented and all policies and procedures compliant. No changes were recommended.

Mrs. Olsen moved and Mr. Novak seconded the motion to approve the 2015-2016 Annual District Audit as presented.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

APPROVAL OF THE 2016 TENTATIVE TAX LEVY AND RESOLUTION TO SCHEDULE A PUBLIC HEARING

Mr. DeBartolo briefly reviewed the tax levy for the Board. A Truth-in-Taxation Public Hearing will be held at the December Board Meeting. The district needs to continue monitoring spending to avoid having to seek additional revenue.

Mrs. Olsen moved and Mr. Novak seconded the motion to approve the 2016 Tentative Tax Levy as presented and the time of the Truth-in-Taxation hearing for December 14, 2016 at 7:00 p.m. and for the publication of the Notice of the Truth-in-Taxation hearing.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

ENROLLMENT PROJECTIONS

Dr. Wilson explained that to begin working on the 2017-2018 Staffing Plan, enrollment projections have to be done as the first step. The Fall Housing Report numbers and the cohort survival projections are used to estimate future enrollment. There is nothing significant to note as far as unusual numbers, and administration believes the district will continue to follow the general pattern.

FREEDOM OF INFORMATION ACT (FOIA) REQUESTS

Two Freedom of Information Act (FOIA) requests were received since the last Board meeting. The first request was for employment information from SEIU, the custodial union. The second was from Smart Procure. The requests and all documents were provided to the Board for review.

RECOGNITION OF VISITORS AND VISITOR PARTICIPATION

No one addressed the Board.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

There was no New Business.

EXECUTIVE SESSION

Mrs. Olsen moved and Mrs. Botwinski seconded the motion to adjourn to Executive Session for purposes of discussing personnel, negotiations and the purchase or lease of real property.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

The Board adjourned to Executive Session at 8:33 p.m.

OPEN SESSION

The Board returned to open session at 9:30 p.m.

ROLL CALL:

PRESENT: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

ABSENT: Mr. Bednar, Mr. Bowes

ADJOURNMENT

Mrs. Olsen moved and Mr. Chester seconded the motion to adjourn the meeting at 9:31 p.m.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

President

Secretary

MINUTES OF THE EXECUTIVE SESSION
OF THE
BOARD OF EDUCATION
PROSPECT HEIGHTS SCHOOL DISTRICT 23
NOVEMBER 9, 2016
GRODSKY ADMINISTRATION CENTER

Mari-Lynn Peters, Board President, called the Executive Session to order at 8:53 p.m.

ROLL CALL:

PRESENT: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

ABSENT: Mr. Bednar, Mr. Bowes

ALSO

PRESENT: Dr. Deb Wilson, Superintendent; Dr. Don Angelaccio, Assistant Superintendent for Instruction; Mr. Micheal DeBartolo, Business Manager

PURCHASE OR LEASE OF REAL PROPERTY

Administration has looked at different area churches for possible early childhood classrooms. Any site chosen must meet safety standards. St. Alphonsus School, which was the favored option so far, does not have sprinklers in the educational area. District 214 is offering a kindergarten classroom to be used with education major students and linked with National Louis University and Harper College. This would be at Wheeling High School.

NEGOTIATIONS (N.S.S.E.O.)

Carol Botwinski gave an update on NSSEO negotiations. The NSSEO Board is currently offering a 3.5% increase, including benefit increases. The teachers' union does not want to give up the salary schedule. The Board would also like to drop retirement bump amounts and end post-retirement payouts.

PERSONNEL

The Board and administrators laid out a plan for recruitment and hiring a new Assistant Superintendent and Middle School Principal.

The Board completed the Progressive Discipline training by Lynn Himes.

At 9:05 p.m. Dr. Wilson, Dr. Angelaccio, and Mr. DeBartolo left the meeting.

ADJOURNMENT

Mrs. Botwinski moved and Mr. Chester seconded the motion to return to Open Session at 9:30 p.m.

ROLL CALL:

AYES: Mrs. Olsen, Mrs. Peters, Mrs. Botwinski, Mr. Chester, Mr. Novak

NAYS: None

ABSENT: Mr. Bednar, Mr. Bowes

President

Secretary

PERSONNEL REPORT

<u>Name</u>	<u>Position</u>	<u>Action</u>	<u>Effective</u>	<u>Salary</u>
1. Melissa Joffe	Gr. 8 Teacher MacArthur Middle School	FMLA	February 27, 2017 to August 21, 2017	
2. Linda Robideau	Speech/Language Pathologist MacArthur Middle School	Retirement	June 30, 2016	\$95,382
3. Elizabeth Guza	PT Program Assistant Eisenhower	FMLA	December 15, 2016 to January 5, 2017	
4. Janice Hurley	PE Teacher MacArthur	Retirement	June 30, 2016	\$87,350

12/05/2016

Dr. Deb Wilson
School Superintendent
Prospect Heights District #23
700 N. Schoenbeck Road
Prospect Heights, IL 60070

Dear Deb:

Please accept this letter as notice of my retirement from the position of speech-language pathologist in Prospect Heights District 23. This will be effective June 14, 2017.

In all honesty, I have been a speech pathologist for so long, I can't fathom what it will be like not having that as part of my identity. To say I feel great satisfaction regarding how my career has unfolded would be an understatement.

I have encountered challenges, learned a lot, and met many people who have enriched my life. I feel extremely blessed.

I am thankful for all of the opportunities I have had here in District 23.

After I retire I would be interested in helping the district with the Social Thinking curriculum should you have a need.

Sincerely,


Linda Robideau

December 12, 2016

Dr. D. Wilson
District Superintendent
District 23

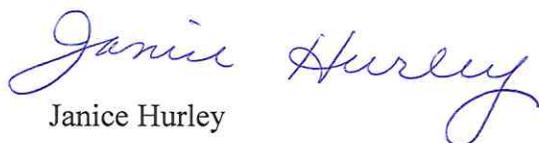
Dear Dr. Wilson,

I would like to inform you officially that I will be retiring from MacArthur Middle School, District 23, effective at the conclusion of the 2016-2017 school year.

I have thoroughly enjoyed working in District 23. I sincerely appreciate the support given to the Physical Education department and me by District 23 Administration.

If I can be of any assistance prior to my departure and afterwards, please let me know. I would be glad to give whatever assistance I can to provide a smooth transition.

Sincerely,


Janice Hurley

This page must be sent to ISBE and retained within the district/joint agreement administrative office for public inspection.

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

Note: For submitting to ISBE, the "Statement of Affairs" can be submitted as one file to avoid separating worksheets.

ANNUAL STATEMENT OF AFFAIRS FOR THE FISCAL YEAR ENDING
 June 30, 2016
 (Section 10-17 of the School Code)

SCHOOL DISTRICT/JOINT AGREEMENT NAME: Prospect Heights School District 23
 RDT NUMBER: 05-016-0230-02
 ADDRESS: 700 N. Schoenback Road, Prospect Heights, IL 60070
 COUNTY: COOK
 NAME OF NEWSPAPER WHERE PUBLISHED: Daily Herald (Paddock Publications) November 23, 2016

DISTRICT TYPE
 Elementary
 High School
 Unit

ASSURANCE
 The statement of affairs has been made available in the main administrative office of the school district/joint agreement and the required Annual Statement of Affairs Summary has been published in accordance with Section 10-17 of the School Code.

CAPITAL ASSETS	VALUE
WORKS OF ART & HISTORICAL TREASURES	0
LAND	405,938
BUILDING & BUILDING IMPROVEMENTS	19,450,508
SITE IMPROVEMENTS & INFRASTRUCTURE	756,817
CAPITALIZED EQUIPMENT	2,114,371
CONSTRUCTION IN PROGRESS	0
Total	22,727,634

NUMBER OF PUPILS ENROLLED PER GRADE	VALUE
PRE-KINDERGARTEN	71
KINDERGARTEN	143
FIRST	182
SECOND	191
THIRD	138
FOURTH	161
FIFTH	185
SIXTH	178
SEVENTH	154
EIGHTH	173
SPECIAL	0
Total Elementary	1,576
NINTH	0
TENTH	0
ELEVENTH	0
TWELFTH	0
SPECIAL	0
Total Secondary	0
Total District	1,576

SIZE OF DISTRICT IN SQUARE MILES	7
NUMBER OF ATTENDANCE CENTERS	4
9 MONTH AVERAGE DAILY ATTENDANCE	1,423
NUMBER OF CERTIFICATED EMPLOYEES	
FULL-TIME	131
PART-TIME	4
NUMBER OF NON-CERTIFICATED EMPLOYEES	
FULL-TIME	59
PART-TIME	7
TAX RATE BY FUND (IN %)	
EDUCATIONAL	3.1169
OPERATIONS & MAINTENANCE	0.2940
BOND & INTEREST	0.2608
TRANSPORTATION	0.1979
MUNICIPAL RETIREMENT	0.0791
SOCIAL SECURITY	0.0791
WORKING CASH	0.0000
FIRE PREVENTION & SAFETY	0.0000
FORT IMMUNITY	0.0339
CAPITAL PROJECTS	0.0000
SPECIAL EDUCATION	0.0000
LEASING	0.0000
OTHER	0.0000
DISTRICT EQUALIZED ASSESSED VALUATION (EAV)	455,489,649
EQUALIZED ASSESSED VALUATION PER ADA PUPIL	320,091
TOTAL LONG TERM DEBT ALLOWED	31,428,786
TOTAL LONG TERM DEBT OUTSTANDING AS OF June 30, 2016	9,529,363
PERCENT OF LONG TERM DEBT OBLIGATED CURRENTLY	30.32%

STATEMENT OF ASSETS AND LIABILITIES
AS OF JUNE 30, 2016

Description	Acct No	(10) Educational	(20) Operations & Maintenance	(30) Debt Service	(40) Transportation	(50) Municipal Retirement & Social Security	(60) Capital Projects	(70) Working Cash	(80) Tort	(90) Fire Prevention & Safety
CURRENT ASSETS (100)										
Cash (Accounts 111 thru 115)		6,434,717		414,287	601,136	183,925	5,698	3,905	12,264	
Investments	120		569,836							
Taxes Receivable	130									
Interfund Receivables	140									
Intergovernmental Accounts Receivable	150									
Other Receivables	160									
Inventory	170									
Prepaid Items	180									
Other Current Assets	190									
Total Current Assets		6,434,717	569,836	414,287	601,136	183,925	5,698	3,905	12,264	0
CURRENT LIABILITIES (400)										
Interfund Payables	410									
Intergovernmental Accounts Payable	420									
Other Payable	430									
Contracts Payable	440									
Loans Payable	460									
Salaries & Benefits Payable	470									
Payroll Deductions & Withholdings	480	122,949	-4,022		36					
Deferred Revenues & Other Current Liabilities	490									
Due to Activity Fund Organizations	493									
Total Current Liabilities		122,949	-4,022	0	36	0	0	0	0	0
LONG-TERM LIABILITIES (500)										
Long-Term Debt Payable	511									
Total Liabilities		122,949	-4,022	0	36	0	0	0	0	0
Reserved Fund Balance	714		573,858	414,287	601,100	183,925	5,698	3,905	12,264	
Unreserved Fund Balance	730	6,311,768								
Investments in General Fixed Assets			569,836	414,287	601,136	183,925	5,698	3,905	12,264	
Total Liabilities and Fund Balances		6,434,717	569,836	414,287	601,136	183,925	5,698	3,905	12,264	0

STATEMENT OF REVENUES RECEIVED/REVENUES, EXPENDITURES DISBURSED/EXPENDITURES, OTHER SOURCES/USES
AND CHANGES IN FUND BALANCE - FOR YEAR ENDING JUNE 30, 2016

Description	Acct No	(10) Educational	(20) Operations & Maintenance	(30) Debt Service	(40) Transportation	(50) Municipal Retirement & Social Security	(60) Capital Projects	(70) Working Cash	(80) Tot	(90) Fire Prevention & Safety
RECEIPTS/REVENUES										
Local Sources	1000	15,181,679	1,399,556	1,181,463	820,771	622,526	44,044	21	157,287	
Flow-Through Received/Revenue from One District to Another District	2000	0								
State Sources	3000	1,581,176			383,162					
Federal Sources	4000	494,811								
Total Direct Receipts/Revenues		17,257,666	1,399,556	1,181,463	1,203,933	622,526	44,044	21	157,287	0
Rec./Rev. for "On Behalf" Payments	3998	4,989,454								
Total Receipts/Revenues		22,247,120	1,399,556	1,181,463	1,203,933	622,526	44,044	21	157,287	0
DISBURSEMENTS/EXPENDITURES										
Instruction	1000	10,860,579				246,517				
Support Services	2000	5,754,794	1,458,101		1,028,798	354,563	2,264,580		184,593	
Community Services	3000	131,638				12,583				
Payments to Other Districts & Govt Units	4000	657,040			126,000					
Debt Services	5000			1,260,903						
Total Direct Disbursements/Expenditures		17,404,051	1,458,101	1,260,903	1,154,798	613,663	2,264,580		184,593	0
Disb./Expend. for "On Behalf" Payments	4180	4,989,454	0	0	0	0	0		0	0
Total Disbursements/Expenditures		22,393,505	1,458,101	1,260,903	1,154,798	613,663	2,264,580		184,593	0
Excess of Direct Receipts/Revenues Over (Under) Direct Disbursements/Expenditures		-146,385	-58,545	-79,440	49,135	8,863	-2,220,536	21	-27,306	0
Other Sources of Funds	7000	246,480	37,750	134,540			1,050,000			
Other Uses of Funds	8000	1,034,540	150,000							
Total Other Sources/Uses of Funds		-788,060	-112,250	134,540	0	0	1,050,000	0	0	0
Excess of Receipts/Revenues & Other Sources of Funds (Over/Under) Expenditures/Disbursements & Other Uses of Funds										
Beginning Fund Balances - July 1, 2015		-934,445	-170,795	55,100	49,135	8,863	-1,170,536	21	-27,306	0
Other Changes in Fund Balances Increases (Decreases)		7,246,213	744,653	359,187	551,965	175,062	1,176,234	3,884	39,570	0
Ending Fund Balances June 30, 2016		6,311,768	573,858	414,287	601,100	183,925	5,698	3,905	12,264	0

ANNUAL STATEMENT OF AFFAIRS SUMMARY FOR FISCAL YEAR ENDING JUNE 30, 2016

The summary must be published in the local newspaper.

Copies of the detailed Annual Statement of Affairs for the Fiscal Year Ending June 30, 2016 will be available for public inspection in the school district/joint agreement administrative office by December 1, 2016. Individuals wanting to review this Annual Statement of Affairs should contact:

Prospect Heights School District 23 700 North Schoenbeck Road, Prospect Heights, Illinois 60070 847-870-3850 8:00 am-4:00 pm
 School District/Joint Agreement Name Address Telephone Office Hours

Also by January 15, 2017 the detailed Annual Statement of Affairs for the Fiscal Year Ending June 30, 2016, will be posted on the Illinois State Board of Education's website@ www.isbe.net.

SUMMARY: The following is the Annual Statement of Affairs Summary that is required to be published by the school district/joint agreement for the past fiscal year.

Statement of Operations as of June 30, 2016

	Local Sources	Educational	Operations & Maintenance	Debt Services	Transportation	Municipal Retirement/Social Security	Capital Projects	Working Cash	Total	Fire Prevention & Safety
Flow-Through Receipts/Revenues from One District to Another District	1000	15,181,679	1,399,556	1,181,463	820,771	622,526	44,044	21	157,287	0
State Sources	2000	0	0	0	0	0	0	0	0	0
Federal Sources	3000	1,581,176	0	0	383,162	0	0	0	0	0
	4000	494,811	0	0	0	0	0	0	0	0
Total Direct Receipts/Revenues		17,257,666	1,399,556	1,181,463	1,203,933	622,526	44,044	21	157,287	0
Total Direct Disbursements/Expenditures		17,404,051	1,458,101	1,260,903	1,154,798	613,663	2,264,580	0	184,583	0
Other Sources/Uses of Funds		-788,060	-112,250	134,540	0	0	1,050,000	0	0	0
Beginning Fund Balances - July 1, 2015		7,246,213	744,653	359,187	551,965	173,062	1,176,234	3,884	39,570	0
Other Changes in Fund Balances		0	0	0	0	0	0	0	0	0
Ending Fund Balances June 30, 2016		6,311,768	573,858	414,287	601,100	183,925	5,698	3,905	12,284	0

SALARY SCHEDULE OF GROSS PAYMENTS FOR CERTIFICATED PERSONNEL AND NON-CERTIFICATED PERSONNEL

This listing must be published in the local newspaper, sent to ISBE, and retained within your district/joint agreement administrative office for public inspection.

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GROSS PAYMENT FOR CERTIFICATED PERSONNEL

Salary Range: Less Than \$25,000	Salary Range: \$25,000 - \$39,999	Salary Range: \$40,000 - \$59,999	Salary Range: 60,000 - \$89,999	Salary Range: \$90,000 and over
Adamski, Beth Almisis, Pamela L Barr, Michelle Bellows, Karen Bernardi, Diane Betti, Brooke Bozio, Alexandra Brons, Michelle Busse, Jennifer Cabrera, Elizabeth Cardi, Amanda Carlton, Kristin Carney, Amy Cirotolica, Malgorzata Clar, Chelsea Comyn, Kelly Curran, Rachel Custer, Barbara Dailey, Michael Daulton, Terry Dewar, Margaret Dewar, Wendy Duffy, Cara Dunkin, Jennifer Engstrom, Joanne Errico, Nora Falk-Kopala Gaestung, Bonnie Goff, Renee Greene, Call Gurson, Rebecca Guza, Elizabeth Hampe, Cheryl Harris, Ilene Harris, Nancy Johnson, Jean Kahn, Mark J Kelly, Donna Kolba, Erin	Baran, Nicole Derrico, Kristen Fleischmann, Candice Ranieri, Carolyn Souri, Lauren Valdarez, Denisse Walker, Ann	Akdeniz, Christine Akhnebo, Megan Allen, Christina Antosiak, Christina Argentine, Kelly Akrison, Mark Ballia, Stacy Becker, Michael Brons, Marianne Butts, Emily Cisneros, Jose Crum, Lindsey Emberton, Sheena Farley, Kayleen Forrest, Eileen Funk, Kelly Godek, Kasey Goscinski-Jones, Joy Hanes, Priscilla Hastings, Rachel Hauschild, Ivona Howitz, Michael Jackson, Laura Kamara-Abraham, Ailia Lopez, Meghan Lynch, Abigail Malek, Michael Marconda, Melissa Martin, Katherine Marvitz, Mary Mass, Allison Mulaney, Julie Murray, Megan O'Brien, Christine O'Connor, Stephanie Racusen, YCail Rollefson, Gail Samp, Jenna Schmidt, Lisa	Alexander, David Aims, Christopher Bastie, Kim Bazan, Kevin Bearwald, Kristen Behun, Joseph Bennett, Inge Bursoso, Lisa Charouni, Nazera Czarkowski, Lawrence Dolwick, Erin Dorohue, Cindy Espinos, Nina Ganek, Kristene Goldberg, Paula Graffman, Joel Grishow, Sherrie Halpin, Jill Hartmann, Linda Heidenescher, Sara Herzog, Kristen Hurley, Janice Joffe, Melissa Kaspari, Tammy Kevill, Meghan Kreiman, Cheryl Leja, Maggie Lerava, Angela Magid, Ani Mathews, Rachel McWilliams, Mary Beth Miller, Robert Nelson, Marilyn Peckworth, Susan Pennell, Susan Perillo, Daniel Poister, Tina Riager, Megan Ritter, Stephanie	Anderson, Gail Angelaccio, Donald Bell, Karen Bruner, Im Caspari, Amy Casarella, LuAnn Curtis, Craig DeBartolo, Michael Garceau, Pamela Gardiner, Debbie Gember, Mary Ann Henehan, Ingrid Hernandez, Jodi Jenkins, Marlys Kalara, Athena Kutcher, Michelle Lambatos, Lucas Lee, Steve MacTavish, Tara Maillox, Amy Mezera, Traci Murray, Julie Petrusha, Carol Robideau, Linda Wesdley, Catherine Wilson, Debra Wright, Lisa Yager Betsy Zbaraz, Bonnie

Kolstad, Luann Kruff, Melanie Lasare, Kimberly Leffler, Carol Luedloff, Katie Matke, Marian Matson, Diane Mayer, Scott Meredith, Caroline Millin, Natalia Morris, Jamie Novak, Andrea Rada, Maria Robbins, Barry Schultz, maria Schwarz, Vicki Seiler, Jessica Smith, Laura Sostra, Christen Spinner, Sara Stickle, Marlon Stoken, Beth Strzelecki, matianne Sutton, Jennifer Swanson, Denise Tisza, Janet Trossman, Sheila Uramboowe, Gail Walker, Roberta Whistler, Katherine Whowell, Joseph Wilson, Jean		Sierba, Ashley Sullivan, Carly Windsor, Megan	Robertson, Lora Rozner, Amy Sabath, Michelyn Schioman, Jill Sobczak, Correen Soka, Chrystyra Stasi, Tina Stavopoulos, Maria Stolton, Gina Strachn, Kimberly Teremoto, Jerni Tomasiak, Margaret Ubert, Nadine Valderama, Michelle Vasilakos, Sandra Walsh, Patricia Wright, Leon Zaveduk, Abra
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GROSS PAYMENT FOR NON-CERTIFICATED PERSONNEL

Salary Range: Less Than \$25,000	Salary Range: \$25,000 - \$39,999	Salary Range: \$40,000 - \$59,999	Salary Range: \$60,000 and over
Aburno Salgado, Jonathan	Adams, Michelle	Bianco, Jose	Anderson, Cathryn
Adams, Joleen	Birschobach, Jill	Brand, Kris	Banbor, Jakub
Aorata, Jackie	Bianco, Wilber	Carlson, Lissa	Brako, Tanja
Barcheck, Cynthia	Collins, Carolyn	Chavez-Munoz, Juan	Dolson, Tricia
Blajini, Gail	Crask, Debra	Ellison, Lorne	Schmidt, Curtis
Bianco, Edwin	De George, Ron	Ewario II, Richard	Serra, Aurelio
Calciagno, Frank	Fialkowski, Gwen	Hehn, Victoria	Sorensen, Nancy
Carrillo, Alexandra	Forst, Barbara	Hitzeman, Brian	
Christian, Gorman	Guerra, Ana	Macek, Debra	
Cross, Ellen	Ibarra, Luis	O'Donnell, Michelle	
Cooney, Andrea	Jaeschke, Laura	Parisi, Lisa	
Cooney, Nathan	Koepke, Susan	Qualman, Kathleen	
Dahn, Patricia	Kolomeiz, Carly	Reibel, Patricia	
De Frenza, Anna	Lilly, Pamela	Rubio, Carlos	
Del Pilar, Filomeno	Mullaney, Brian	Rubio, Miguel	
Diaz, Michelle	Parkinson, Charles	Sabo, Marcus	
D'Christofano, Kyle	Reynolds, Mary Jo	Stocking, Christie	
Dittmer, Larissa	Ross, Melissa	Werneske, Donald	
Dornohue, Patrick	Samp, Debra		
Dorcey, Carol	Shah, Pragna		
Drago, Rose	Stephens, Tracy		
Fickett, Zachary	Unger, Joy		
Grafman, Deborah	Wojlalewicz, Suzanne		
Hahn, Mary Ellen	Zachariah, Jaya		
Haug, Margaret			
Healey, Kevin			
Helbling, Thomas			
Hermarek-Pellickan, Donna			
Heuer, Sue			
Huber, Christina			
Jacobson, Richard			
Kirchman, Kathy			
Klingner, Kristopher			
Koepke, Hayley			
Konstant, Jacqueline			
Kowalski, Claudia			
LaCayese, Debbie			
Langa, Jan			
Lasare, Joseph			
Lunardini, Sharlene			
Lundgren, Alexander			
Macek, Hunter			
Maradkel, Ingrid			
Martens, Kenneth			
Martens, Nicholas			

Massat, Krista			
Mathew, Timothy			
Mayen Nava, Fabiola			
Mendiola, Jenny			
Menzla, Genie			
Milanez, Suzanne			
Miller, Susan			
Nugent, John			
Ortzo, Jennifer			
Parisi, Cail			
Paleras, Janet			
Peterson, Deborah			
Piatrowski, Shirley			
Prazuch, Cyndi			
Rehusch, Trent			
Robideau, Patrick			
Rediak, Nicole			
Rubio, Luis			
Ruff, Donna			
Sait, Anne			
Schmidt, Evan			
Schmidt, Ryan			
Shah, Varsha			
Slastuk, Lesia			
Stavros, Darla			
Stepuszek, Nancy			
Sivers, Carol			
Tedras, Kevin			
Theobald, Koby			
Travis, Alan			
Trejo, Daniel			
Trom, Diane			
Van Wolveelar, Jacob			
Vanhalla, Valerie			
Walker, Karen			
Wallace, yoshi			
Williams, Linda			
Wilson, Whitney			
Zambrano, Justin			
Zarafonitis, Demetra			
Zawacki, Meredith			
Zhekova, Temenuga			

Payments over \$2,500, excluding wages and salaries.

<u>Person, Firm, or Corporation</u>	<u>Aggregate Amount</u>
TCI	2,504.50
Mackin Educational Resources	2,547.36
Nasco	2,613.64
MealTime The Clm Group Inc.	2,644.00
National School Boards Association	2,675.00
Illinois Computing Educators	2,705.00
SVT LLC	2,742.48
School Specialty	2,760.39
Allstar Asphalt, Inc.	2,800.00
Midwest Irrigation	2,948.93
Speedway LLC	2,956.07
Relief Medical Services, Inc.	3,003.90
Waukegan Roofing Company	3,145.30
Heartland Business Systems	3,165.00
North Cook Intermediate Service Center	3,175.00
AT & T Mobility	3,216.49
Marcia Brenner Associates, LLC	3,230.18
Master Lock Company LLC	3,244.60
Anderson Pest Solutions	3,259.12
Scholastic, Inc.	3,298.92
Michaels Uniform Company	3,436.69
Fox Valley Fire & Safety Co	3,437.75
Zeller and Associates	3,445.69
Judy's Letter & Secretarial Service, Inc	3,516.20
Palmer Plumbing & Heating, LLC	3,585.00
NewBay Media, LLC	3,655.00
Constellation NewEnergy Gas Division L	3,821.50
Suburban Trim Glass Corp	3,835.65
Omni Youth Service	3,900.00
BrainPOP	3,973.92
Tyson Plumbing, LLC	3,984.00
Rosetta Stone Ltd	4,187.66
Hauser Izzo, LLC.	4,284.00
Signs by Tomorrow	4,318.80
DeMuth, Inc.	4,500.00
Banner Plumbing Supply Co., Inc.	4,760.78
Levato Group Inc.	4,788.50
Hufcor-Chicago	4,797.00
Davey Tree Expert Company	5,000.00
Specialized Data Systems	5,160.00
Raising Digital Natives, LLC	5,300.00
BrightBytes	5,393.49
CDW Computer Center	5,560.11
Brechts Database Solutions, Inc.	5,855.00
Cambium Learning Group	5,985.55
Read Naturally	5,991.00
Schoology, Inc	6,035.00
Amazon	6,087.26
VSP IL	6,401.30
Nicor Gas	6,437.81
Securly, Inc.	6,600.00
Opt2mized Networks Inc	6,648.95
numotion	7,192.51
Frank Cooney Company	7,233.06
Sound Incorporated	7,696.00
Prentke Romich Company	8,160.00
TriMark Marlinn LLC	8,573.68
Goodman Company	9,250.00
Lakeshore Recycling System	9,456.00
Village of Arlington Heights	9,710.63
Quinlan & Fabish Music	9,932.44
Pitney Bowes Global Financial Services	10,094.94
AG iRepair	10,104.00
School Health Corp	10,346.09
Learning A-Z	10,434.17
Lexia Learning System	10,535.00

Lakeshore Learning Materials	10,655.09
Infinite Cohesion	10,776.00
Frontline Technologies Group, LLC	10,817.20
CDW Government	10,861.64
Tech Teachers	11,375.00
Forecast 5 Analytics, Inc.	11,500.00
Grant L. Sabo	11,720.00
Zaner-Bloser	11,804.58
NCS Pearson, Inc	12,775.00
Pearson Assessments	12,811.75
Follett School Solutions, Inc	13,135.39
Peter Nikolich	14,000.00
Warehouse Direct	14,572.28
TenMarks Education, LLC	14,850.00
Really Good Stuff	15,602.60
National Decorating Service	16,575.00
UZBL	16,897.50
CSC Learning	18,000.00
Northwest Evaluation Association	18,037.50
AT & T	19,920.44
All Covered	20,982.00
Invo Healthcare Associates	21,825.00
Graebel Companies, Inc.	22,446.00
Illinois Association of School Boards	22,935.00
Evans, Marshall, and Pease	22,995.00
Graebel Vanlines, LLC	24,200.27
ECRA Group Incorporated	25,000.00
Metro Professional Products	25,806.84
Tyler Technologies, Inc.	29,776.45
Milieu Design LLC	31,197.00
Roesch Ford Truck Center	33,962.00
Step Forward Therapy, Inc.	35,020.00
Accelerate Learning	35,175.04
Studio GC	37,383.00
Office Depot	37,805.42
Connections Day School / South Campus	38,999.40
Pearson Education Inc	40,482.50
WOW Business	45,246.00
Earley Insulation, Inc.	46,285.00
Edmentum	50,000.00
BMO Harris Bank N. A.	51,491.04
Suburban School Coop. Insurance Pool	51,968.00
Graham C Stores Company	53,738.73
City of Prospect Heights	56,599.79
Allendale Association	56,781.30
McGraw-Hill School Education	58,747.09
Scariano Himes & Petrarca	63,210.09
De Lage Landen Public Finance LLC	81,261.12
Palmer Hamilton, LLC.	81,608.28
Environmental Assurance	87,410.00
Earth City Distributing	110,258.00
Accident Fund Insurance Company of An	118,285.00
Constellation NewEnergy, Inc.	140,947.59
Superior Corporation of Illinois	175,470.00
THIS-Teacher Health Insurance	187,032.03
Apple Computer, Inc.	261,468.48
Honeywell International Inc	266,260.80
Arlington Heights School District 25	323,233.43
F. E. Moran, Inc.	338,239.52
IMRF	395,331.26
Frontier Construction Inc.	436,185.68
Richmond Electric Company Inc.	590,757.90
NSSEO	794,769.03
First Student	953,161.70
TRS-Board Share	1,020,969.48
Amalgamated Bank of Chicago	1,126,362.50
EBC	2,597,055.86

PAYMENTS TO PERSON, FIRM, OR CORPORATION OF \$1,000 TO \$2,500

This listing must be sent to ISBE, and retained within your district/jointagreement administrative office for public inspection.

Prospect Heights School District 23
05-016-0230-02

Payments of \$1,000 to \$2,500, excluding wages and salaries

<u>Person, Firm, or Corporation</u>	<u>Aggregate Amount</u>
Northern Illinois Bubble Soccer, Inc.	1,000.00
C W Burns Co Inc	1,015.00
Illinois ASCD	1,023.00
Squirrels, LLC	1,040.00
Mobil Ed Productions	1,050.00
A & J Sewer Service	1,051.00
DynaVox Systems LLC	1,074.20
Russo Power Equipment	1,077.51
Vanities Manufacturing	1,090.00
Township High School District 214	1,092.00
Master Teacher, The	1,095.80
Bachrach, Lloyd	1,100.00
Discount School Supply	1,130.46
Illinois State University Conferencing	1,150.00
Midwest Computer Products, Inc.	1,180.63
TouchMath/Learning Concepts	1,203.12
Geddes	1,220.12
Projector Lamp Genie	1,237.02
Klemens, Norreen M.	1,250.00
United Analytical Services, Inc.	1,250.00
Illinois ASBO	1,295.00
Sungard Public Sector	1,300.00
United Art and Education	1,319.49
Specialty Floors	1,330.00
School Mate	1,331.25
A-Alert Lock And Alarm	1,370.28
Rush Neurobehavioral Center	1,375.00
1877FloorGuy.com	1,378.45
AliiMed	1,386.90
Lerner Supply	1,387.40
RAM Fire Protection, Inc.	1,410.00
Palos Sports Inc	1,449.31
Discovery Benefits	1,479.80
Kell50 Plumbing Inc.	1,480.00
JW Pepper & Son, Inc.	1,490.19
AssetWorks LLC	1,500.00
William Blair & Company, LLC	1,500.00
Daily Herald	1,502.05
GO Solutions Group Inc.	1,511.45
Smekens Educational Solutions Inc	1,512.00
Southpaw Enterprises	1,512.27
Bearcom	1,551.54
Systems Forms Inc.	1,593.65
Discovery Education	1,600.00
Specialty Water Chemicals, Inc.	1,600.00
Phonak Communications, Inc.	1,603.67
The Library Store	1,617.09
LamTech Laminating Solutions, Inc.	1,685.00
Demco Inc.	1,800.86
Midwest Principals Center	1,870.00
Lewis Paper International, Inc	1,880.00
Robert Crown Center	1,920.00
Pearson Clinical	1,924.13
Arthur J. Gallagher Risk Management	1,975.00
Air Cleaning Specialist, Inc	2,010.75
Home Depot	2,053.83
Textbook Warehouse	2,078.40

PowerSchool Group, LLC	2,085.50
Illinois Associaton of School Admin	2,094.00
Gopher Sport	2,124.70
News-2-You Inc.	2,152.00
ClientFirst Consulting Group, LLC	2,160.00
S & S Worldwide, Inc.	2,185.71
Ed Red	2,250.00
Rifton Equipment	2,367.00
Birnbaum, Linda	2,400.00
SolarWinds	2,400.00
Frey, Gavin	2,487.38

PAYMENTS TO PERSON, FIRM, OR CORPORATION OF \$500 TO \$999

This listing must be retained within your district/joint agreement administrative office for public inspection.

**Prospect Heights School District 23
05-016-0230-02**

Payments of \$500 to \$999, excluding wages and salaries.

<u>Person, Firm, or Corporation</u>	<u>Aggregate Amount</u>
Arlington Heights Park District	500.00
Capstone	501.86
Success By Design Inc	508.38
Heritage Food Service Group, Inc	510.52
Amlings Flowerland	517.88
National Association of Social Workers	520.00
Essentra Specialty Tapes	538.58
IPA	554.00
Teacher Innovations, Inc.	555.60
Houghton Mifflin Harcourt	564.10
Lee's Foodservice Parts & Repairs	565.45
The Presidents Challenge	566.80
Garaventa USA Inc.	581.25
PSUG Events	598.00
Northern IL Independent Purchasing Coc	600.00
Red Oak Tree Expert Corp.	600.00
Intradata - Readn Quiz	609.56
C & H Building Spec., Inc.	612.00
Flaghouse Special Needs	619.62
Northwest Stationers Inc	622.60
Attainment Company Inc.	628.95
Insect Lore Products	640.08
National Time & Signal	647.66
Kwiecinski, Rick	650.00
Leland, Diane	650.00
Schoolsin	664.96
Flinn Scientific	672.41
Advantage Press	680.40
Guitar Center	688.96
Illinois Principals Association	700.00
WPS	777.75
Oriental Trading	781.39
Accurate Document Destruction Inc.	784.20
Calloway House, Inc.	814.20
Midori Restaurant	814.20
Goodman, Jordan	820.00
Oriental Trading Company, Inc.	834.65
Bowes, Jeffrey G.	840.00
Illinois School Psychologists Associatio	857.00
EAI Education	869.17
Great Lakes Coca-Cola Distribution LLC	881.28
American Express	886.92
Grainger W W, Inc.	890.27
Time For Kids	898.88
Easy Way Safety Services	908.00
Terryberry	912.36
Social Thinking	951.77
Creativity Institute	954.96
AT & T Long Distance	959.34

REPORT ON CONTRACTS EXCEEDING \$25,000 AWARDED DURING FY2016

In conformity with sub-section (c) of Section 10-20.44 of the School Code [105 ILCS 5/10-20.44], the following information is required to be submitted in conjunction with submission of the Annual Statement of Affairs [105 ILCS 5/10-17].

INSTRUCTIONS: (See the attached document (pdf) for additional guidance and definitions.)

ITEM 1. – Count only contracts where the consideration exceeds \$25,000 over the life of the contract and that were awarded during FY2016 and record the number below in the space provided. Do not include: (1) multi-year contracts awarded prior to FY2016; (2) collective bargaining agreements with district employee groups; and (3) personal services contracts with individual district employees.

ITEM 2. – Aggregate the value of consideration of all contracts included in item 1 and record the dollar amount below in the space provided.

ITEM 3. - Count only contracts where the consideration exceeds \$25,000 over the life of the contract that were awarded during FY2016 to minority, female, disabled or local contractors and record the number below in the space provided. Do not include: (1) multi-year contracts awarded prior to FY2016; (2) collective bargaining agreements with district employee groups; and (3) personal services contracts with individual district employees.

ITEM 4. – Aggregate the value of consideration of all contracts included in item 3 and record the dollar amount below in the space provided.

1. Total number of all contracts awarded by the school district:	6 <i>(Enter Number Here)</i>
2. Total value of all contracts awarded:	869,098 <i>(Enter \$ Amount Here)</i>
3. Total number of contracts awarded to minority owned businesses, female owned businesses, businesses owned by persons with disabilities, and locally owned businesses:	0 <i>(Enter Number Here)</i>
4. Total value of contracts awarded to minority owned businesses, female owned businesses, businesses owned by person with disabilities, and locally owned businesses:	0 <i>(Enter \$ Amount Here)</i>



Software Maintenance and Upgrade Agreement (SMUA)

Customer Information

School District #23
COMPANY NAME

Micheal Debartolo
CONTACT

700 N. Schoenbeck Road
ADDRESS

Prospect Heights, IL 60070
CITY / STATE / ZIP

847-870-5552
PHONE FAX

EMAIL

Phone support available 8am to 5pm Monday through Friday CST, excluding Holidays
Please call 1-877-520-0070 or go to www.ImpactNetworking.com/Support

Solution Location

Same
COMPANY NAME

CONTACT

ADDRESS

CITY / STATE / ZIP

PHONE FAX

EMAIL

All agreements billed annually.
Invoices are sent roughly 90 days in advance in order to avoid lapse of coverage from Impact and from the software developer.

Support Agreement Details

	COST	DETAILS
<input type="checkbox"/> DOCUWARE		
<input type="checkbox"/> SMARTSEARCH		
<input type="checkbox"/> PLANETPRESS		
<input type="checkbox"/> AUTOSTORE		
<input checked="" type="checkbox"/> OTHER	\$3,749.22	Remote support & training for Papercut software. Includes helpdesk, and includes all software updates as they are released from the manufacture

Notes

**Year one is included in lease contract

Agreement

The term of this Agreement is ____ years from the effective date and will auto-renew according to the terms and conditions on the back of this agreement. Impact agrees to furnish the Customer in accordance with the terms and conditions of this agreement and Statement of Work # _____. Any additional services beyond Statement of Work # _____ will be charged to the customer at normal service rates.

Please return with payment in full. This contract is legally binding upon signature, and or purchase order. No service will be performed until payment is received. This agreement is non-cancellable for the term specified herein, except as provided herein. The additional terms and conditions on the reverse side hereof are incorporated in and made part of this agreement, no one is authorized to change, alter, or amend the terms or conditions of this agreement unless agreed to in writing by the president of Impact Networking. Freight is charged to the client on all agreements, whether they include supplies or not. All prices in effect for 30 days from Impact representative signature date.

CUSTOMER AUTHORIZED SIGNATURE

IMPACT AUTHORIZED SIGNATURE

NAME DATE

NAME DATE

**Suburban School Cooperative Insurance Pool Invoice
PROSPECT HGTS SD #23**

**SUMMARY OF 12/31/2016-2017 PREMIUMS AND COVERAGES
Invoice Date: 12/31/16**

<u>COVERAGE</u>	<u>LIMIT OF LIABILITY</u>	<u>EFFECTIVE DATE</u>	<u>INSURANCE COMPANY</u>	<u>PREMIUM</u>
Property	\$1,000,000 - \$5,000 Ded	31-Dec-16	Great American Insurance Co.	\$17,943
General Liability	\$11,000,000	31-Dec-16	Great American Insurance Co.	\$15,700
Auto Liability	\$11,000,000	31-Dec-16	Great American Insurance Co.	\$2,691
Auto Physical Damage	ACV - \$2,500 Ded.	31-Dec-16	Great American Insurance Co.	\$449
School Board Legal	\$11,000,000	31-Dec-16	Great American Insurance Co.	\$8,074
Total Package Policy*				\$44,858
Boiler & Machinery	\$250,000,000	31-Dec-16	Travelers Property Casualty Ins. Co.	\$1,064
Excess Property	\$500,000,000	31-Dec-16	Hartford Fire Insurance Co.	\$7,291
Excess Liability	\$20,000,000	31-Dec-16	Illinois National Insurance Co.	\$979
Cyber Risk Liability	\$1,000,000 Each Incident \$25,000,000 Aggregate Policy Term Limit	31-Dec-16	Lloyd's of London	\$1,374
Pollution Legal Liability (Annual Installment- 2nd installment of 3 installments)	\$1,000,000 Each Incident \$10,000,000 Aggregate Policy Term Limit	31-Dec-15 to 31-Dec-18	Lexington Insurance Co.	\$830
Preliminary 2016-2017 Insurance Premium				\$56,396

SURPLUS REDUCTION **(\$1,375)**

Total 2016-2017 Insurance Premium - Please Pay this amount **\$55,022**

Total 2015-2016 Insurance Premium (incl. surplus reduction) \$51,968
 % Change in Premium 5.9%

<u>RATING VARIABLES:</u>	<u>PRIOR</u>	<u>CURRENT</u>	<u>% CHANGE</u>
Exposure (5 Year Avg.)			
Property Value	\$45,974,550	\$49,059,121	6.7%
Student Count	1,507	1,528	1.4%
Vehicle Value	\$25,000	\$28,000	12.0%
Loss Base (5 Year Avg. Capped at \$75k per year per coverage)	\$7,830	\$10,620	35.6%

*Package includes claims fees, administrative fees, crime coverage, and loss fund contribution

VEHICLE COST (FOR STATE REPORTING PURPOSES):

PACKAGE POLICY	\$	615
EXCESS LIABILITY	\$	21
TOTAL COST PER VEHICLE	\$	636

Premiums are due and payable upon receipt of invoice.
 Please make your check payable to Suburban School Cooperative Ins. Pool
 Please send your remittance with a copy of this invoice by January 1, 2017 to:

Suburban School Cooperative Insurance Pool
 39206 Treasury Center
 Chicago, IL 60694-9200

2016 Tentative Tax Levy



Prospect Heights School District 23

December 14, 2016

Factors in Tax Levy

- CPI-U: 0.70% - Known
- EAV: \$478,264,131 - Unknown
- New Construction: \$1,000,000 - Unknown

Tax Levy Calculation

• 2015 Extension	\$17,312,957
• X 2015 CPI	100.70%
• New Extension	\$17,434,148
•	
• 2016 EAV	\$478,264,131
• Less: New Construction	\$ 1,000,000
• Adjusted EAV	\$477,264,131
•	
• Adjusted Extension Base	\$17,434,148
• Divided by Adjusted EAV	\$477,264,131
• Limited Rate	3.653
• 2016 EAV	\$478,264,131
• Total Estimated Extension for 2016 (Rate X EAV)	\$17,470,677

Tentative 2016 Extension

Fund	2015 Extension	Tentative 2016 Extension	Variance	New Money
Education	\$14,197,207	\$14,370,677	\$173,470	
Operations & Maintenance	\$ 1,339,000	\$ 1,500,000	\$161,000	
Transportation	\$ 901,250	\$ 950,000	\$48,750	
IMRF	\$ 360,500	\$ 225,000	(\$135,500)	
Social Security	\$ 360,500	\$ 225,000	(\$135,500)	
Tort	\$ 154,500	\$ 200,000	\$45,500	\$157,720

TRUTH IN-TAXATION

Projected 2016 Extension	2016 Levy Request
0.91% Increase	4.98%

- District increases Levy Request to capture all new construction dollars that are not under the tax cap the first year they are on the tax rolls.
- District will still only receive amount of dollars allowed under the tax cap.

ILLINOIS STATE BOARD OF EDUCATION

School Business Services Division
217/785-8779

Original: XX
Amended:

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.

District Name Prospect Heights	District Number --0-23	County Cook
-----------------------------------	---------------------------	----------------

Amount of Levy

Educational	\$ <u>15,076,000</u>	Fire Prevention & Safety *	\$ <u>0</u>
Operations & Maintenance	\$ <u>1,500,000</u>	Tort Immunity	\$ <u>200,000</u>
Transportation	\$ <u>950,000</u>	Special Education	\$ _____
Working Cash	\$ <u>0</u>	Leasing	\$ _____
Municipal Retirement	\$ <u>225,000</u>	Other	\$ _____
Social Security	\$ <u>225,000</u>	Other	\$ _____
		Total Levy	\$ <u>18,176,000</u>

* Includes Fire Prevention, Safety, Energy Conservation, Disabled Accessibility, School Security, and Specified Repair Purposes.

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 15,076,000 dollars to be levied as a special tax for educational purposes; and
 the sum of 1,500,000 dollars to be levied as a special tax for operations and maintenance purposes; and
 the sum of 950,000 dollars to be levied as a special tax for transportation purposes; and
 the sum of 0 dollars to be levied as a special tax for a working cash fund; and
 the sum of 225,000 dollars to be levied as a special tax for municipal retirement purposes; and
 the sum of 225,000 dollars to be levied as a special tax for social security purposes; and
 the sum of 0 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 200,000 dollars to be levied as a special tax for tort immunity purposes; and
 the sum of 0 dollars to be levied as a special tax for special education purposes; and
 the sum of 0 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 _____.

Signed this 14 day of December 20 16 . _____
(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. The county clerk shall extend the tax for bonds and interest as set forth in the certified copy of the resolution, each year during the life of the bond issue. Therefore to avoid a possible duplication of tax levies, the school board should not include a levy for bonds and interest in the district's annual tax levy.

Number of bond issues of said school district that have not been paid in full 3 .

(Detach and Return to School District)

This is to certify that the Certificate of Tax Levy for School District No. 23 , Cook County, Illinois, on the equalized assessed value of all taxable property of said school district for the year 2016 , was filed in the office of the County Clerk of this County on _____ .

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 2016 , is \$ _____ .

(Signature of County Clerk)

(Date)

(County)

EXPLANATION

The school board of any school district having a population of less than 500,000 inhabitants may levy a tax annually, for educational purposes, upon all the taxable property of the district at the value, as equalized or assessed by the Department of Revenue (Section 17-2 of the School Code).

The school board of any school district having a population of less than 500,000 inhabitants may levy a tax annually, for operations and maintenance purposes, upon all the taxable property of the district at the value, as equalized or assessed by the Department of Revenue (Section 17-2 of the School Code).

The school board of any school district having a population of less than 500,000 inhabitants may levy a tax annually, for transportation purposes, upon all the taxable property of the district at the value, as equalized or assessed by the Department of Revenue (Section 17-2 of the School Code).

The school board of any school district having a population of less than 500,000 inhabitants may levy a tax known as a Working Cash Fund Tax upon all the taxable property of the district, annually (Section 20-3 of the School Code).

The school board of any school district may levy a tax for municipal retirement purposes in a sum sufficient to provide all the contributions required of the school district by including the amount to be levied for such purposes in the Certificate of Tax Levy for other school taxes, or such district may file with the county clerk a separate certificate or resolution setting forth the amount of tax to be levied for such purpose (40 ILCS 5/7-171).

The school board of any school district may levy a tax for social security (includes Medicare only) purposes in a sum sufficient to provide all the contributions required of the school district by including the amount to be levied for such purposes in the Certificate of Tax Levy for other taxes, or such district may file with the county clerk a separate certificate or resolution setting forth the amount of tax to be levied for such purpose (40 ILCS 5/21-110, 21-110.1).

The school board of any school district having a population of less than 500,000 inhabitants may levy a tax upon all the taxable property of the district at the value as equalized or assessed by the Department of Revenue for the purposes of professional surveys, alterations, and reconstruction for fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes upon meeting certain statutory conditions (Section 17-2.11 of the School Code).

The school board of any school district may levy a tax upon all the taxable property within the district for tort immunity purposes in a sum sufficient to pay the costs of purchasing such insurance or sufficient to pay any tort judgment, settlement, or insurance imposed upon it under the Local Government and Governmental Employees Tort Immunity Act including liabilities under the Workers' Compensation Act, Occupational Diseases Act, or the Unemployment Insurance Act 745 ILCS 10/9-107 and Section 17-2.5 of the School Code).

The school board of any school district may levy, with voter approval, a tax upon the full, fair cash value as equalized or assessed by the Department of Revenue within the district for capital improvement purposes (which levy is in addition to that for building purposes) and such funds are to be levied, accumulated, and spent only in accordance with Section 17-2.3 of the School Code.

The school board of any school district having a population of less than 500,000 inhabitants, by proper resolution, may levy an annual tax upon the full, fair cash value as equalized or assessed by the Department of Revenue for special education purposes including the purposes authorized by Section 10-22.31b and Section 17-2.2a of the School Code.

The school board of any school district having a population of less than 500,000 inhabitants, with voter approval, may levy a tax annually, for summer school purposes, upon all the taxable property of the district at the value, as equalized or assessed by the Department of Revenue (Section 17-2.1 of the School Code).

The school board of any school district having a population of less than 500,000 inhabitants may, by proper resolution, levy an annual tax upon the value as equalized or assessed by the Department of Revenue for a period of not more than five years for area vocational education building purposes including the purposes authorized by Section 10-22.31b of the School Code, upon the condition that there are not sufficient funds available in the operations and maintenance fund of the district to pay the cost thereof. Such tax shall not be levied without the prior approval of the State Superintendent of Education and prior approval by a majority of the electors voting upon the proposition at a general or special election (Section 17-2.4 of the School Code).

The school board of any school district having a population of less than 500,000 inhabitants may levy an annual tax not to exceed 0.05% upon the taxable property, as equalized or assessed by the Department of Revenue, for the purposes of leasing educational facilities or computer technology or both, and for temporary relocation expense (Section 17-2.2c of the School Code).

The school board of any school district, upon determining that a surplus of funds is available, shall adopt a resolution or ordinance reducing the tax levy of such district for the year for which the resolution or ordinance is adopted. The district shall certify the action to the county clerk who shall abate the levy in accordance with the provision of the ordinance (35 ILCS 200/18-20).

The Truth in Taxation Law affects all units of local government, school districts, and community colleges, including home rule units, who are authorized to levy property taxes. For the requirements of the law, refer to 35 ILCS 200/18-55 et seq.

RESOLUTION AUTHORIZING TAX FOR ILLINOIS MUNICIPAL RETIREMENT PURPOSES

WHEREAS, Section 7-171 of the Illinois Pension Code (40 ILCS 5/7-171) authorizing levy of a special tax for Illinois Municipal Retirement Fund purposes in accordance with the provisions set forth in said section of the Pension Code; and

WHEREAS, this Board does hereby intend to authorize such tax,

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of School District 23, Cook County, Illinois as follows:

SECTION 1. This Board by this proper resolution does hereby levy the sum of \$225,000 for the year 2016 as a special tax for Illinois Municipal Retirement Fund purposes in accordance with the provisions of Section 7-171 of The Illinois Pension Code and the County Clerk is directed to extend taxes for such purpose to meet the needs of the District.

SECTION 2. The President and Secretary are hereby directed to file a certified copy of this resolution with the County Clerk of each county within which this district has taxable property and to request extension of such taxes for the 2016 tax year.

MEMBER _____ moved that the foregoing resolution be adopted and

MEMBER _____ seconded the motion, upon the roll being called the members voted as follows:

AYE:

NAY:

ABSENT:

The President declared the motion had been duly adopted.

President,
Board of Education

Secretary,
Board of Education

Dated: December 14, 2016

C E R T I F I C A T E

_____ **WE DO HEREBY CERTIFY** that we are respectively the duly elected, appointed and acting President and Secretary of the Board of Education of Prospect Heights School District 23, Cook County, Illinois.

_____ **WE DO FURTHER CERTIFY** that attached hereto is a true, correct and complete copy of a proper resolution adopted by the Board of Education of said School District on December 9, 2015 levying the sum of \$225,000 as a special tax for Illinois Municipal Retirement Fund purposes and \$225,000 for Social Security purposes in accordance with the provisions of Section 7-171 of the Illinois Pension Code (40 ILCS 5/7-171).

DATED: December 14, 2016

**President
Board of Education**

**Secretary
Board of Education**

**RESOLUTION TO INSTRUCT THE COUNTY CLERK
HOW TO APPORTION 2016 TAX LEVY EXTENSION REDUCTIONS
PROSPECT HEIGHTS SCHOOL DISTRICT #23, COOK COUNTY, ILLINOIS**

WHEREAS, 1-10 of the Property Tax Extension Limitation Law (“PTELL”) provides that the County Clerk shall extend a tax rate for the sum of a taxing district’s funds that is not greater than the limiting rate; and

WHEREAS, PTELL 1-10 further provides that if the County Clerk is required to reduce the aggregate extension of a taxing district, the clerk shall proportionally reduce the extension for each fund unless otherwise requested by the taxing district; and

WHEREAS, the Board of Education of Prospect Heights School District #23, County of Cook, State of Illinois, (hereinafter “the Board”) has adopted a levy for the year 2016 for taxes for the following purposes or funds of said district: Educational, Operations and Maintenance, Debt Service, Transportation, Municipal Retirement, Social Security and Tort Immunity; and

WHEREAS, the Board has determined that if the County Clerk must extend taxes in an amount that is less than the aggregate amount of the levy for 2016, such reduction shall not be proportionate in all funds but rather, shall be made as hereinafter specified;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Prospect Heights School District #23, County of Cook, State of Illinois, as follows:

Section 1: That the Board of Education hereby finds and determines that all of the recitals in the preambles to this Resolution are full, true, and correct and does hereby incorporate them into this Resolution by reference.

Section 2: If the County Clerk of Cook County is prohibited by the Property Tax Extension Limitation Law from extending taxes for the full amount of the 2016 aggregate levy of School District #23, then in the event the levy for each of the districts funds **shall not be reduced proportionally.**

Section 3: If the County Clerk of Cook County is prohibited by the Property Tax Extension Limitation Law from extending taxes for the full amount of the 2016 aggregate levy of School District #23, any necessary reduction of taxes shall be in the following order:

Fund:	Percentage of Reduction:
Education	100%

Section 4: This Resolution shall be in full force and effect forthwith upon its passage.

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 members voted as follows:

AYES: _____

NAYS: _____

ABSENT: _____

President, Board of Education
Prospect Heights School District 23
Cook County, Illinois

ATTEST:

Secretary, Board of Education
Prospect Heights School District 23
Cook County, Illinois

DATED: _____

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION OF RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education ("Board") of Prospect Heights School District 23, Cook County, Illinois ("District"), and that as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing is a full, true and complete copy of a resolution entitled:

**RESOLUTION TO INSTRUCT THE COUNTY CLERK
HOW TO APPORTION 2016 TAX LEVY EXTENSION REDUCTIONS**

which resolution was adopted at a meeting of the Board held on the 14th day of December, 2016.

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 said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, the School Code of the State of Illinois, as amended and that the Board has complied with all of the provisions of said Acts and said Codes and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature this 14th day of December, 2016.

Secretary, Board of Education

TRUTH IN TAXATION LAW

CERTIFICATE OF COMPLIANCE

I, Mari-Lynn Peters hereby certify that I am the presiding officer of Prospect Heights School District #23, and as such presiding officer I certify that the Levy Ordinance, a copy of which is attached, was adopted pursuant to, and in all respects in compliance with the provisions of the Illinois Property Tax Code - Truth in Taxation Law, 35 ILCS 200/18-60 through 18-85 (2002).

This certificate applies to the 2016 Tax Levy.

(Signature of Presiding Officer)

December 14, 2016
(Date)

MINUTES of a regular public meeting of the Board of Education of School District Number 23, Cook County, Illinois, held at the Grodsky Administration Center, 700 North Schoenbeck Road, Propect Heights, Illinois, in said School District at 7:00 o'clock P.M., on the 14th day of December, 2016.

* * *

The President called the meeting to order and directed the Secretary to call the roll.

Upon the roll being called, Mari-Lynn Peters, 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 in view of the current financial condition of the District, the Board of Education would consider the adoption of a resolution authorizing a supplemental tax levy to pay the principal of and interest on outstanding limited bonds of the District.

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 authorizing a supplemental tax levy to pay the principal of and interest on outstanding limited bonds of School District Number 23, Cook County, Illinois.

* * *

WHEREAS, School District Number 23, Cook County, Illinois (the “*District*”), is a duly organized School District operating under the provisions of the School Code of the State of Illinois, and all laws amendatory thereof and supplementary thereto (the “*School Code*”); and

WHEREAS, the District has heretofore issued and has outstanding its General Obligation Limited School Bonds, Series 2014, dated January 28, 2014 (the “*Bonds*”); and

WHEREAS, the Bonds were issued as limited bonds pursuant to and in accordance with the provisions of Section 15.01 of the Local Government Debt Reform Act of the State of Illinois, as amended (the “*Debt Reform Act*”); and

WHEREAS, pursuant to resolutions adopted by the Board of Education of the District (the “*Board*”) on the 8th day of January, 2014, the 10th day of December, 2014 and the 9th day of December, 2015 (collectively, the “*Bond Resolution*”), and in accordance with the provisions of the School Code and the Debt Reform Act, the District has heretofore levied taxes upon all of the taxable property within the District to pay the principal of and interest on the Bonds as set forth in Column (B) of the schedule attached hereto as *Exhibit A*; and

WHEREAS, the Bond Resolution has been filed with the County Clerk of the County of Cook, Illinois (the “*County Clerk*”); and

WHEREAS, pursuant to the Bond Resolution, the District directed the County Clerk to extend the taxes levied in the Bond Resolution to pay principal of and interest on the Bonds in accordance with the terms of the Bond Resolution; and

WHEREAS, although the obligation of the District to pay the Bonds is a general obligation under the School Code and all taxable property in the District is subject to the levy of taxes to pay the Bonds without limitation as to rate, the amount of said taxes that will be extended to pay

the Bonds is limited by the Property Tax Extension Limitation Law of the State of Illinois, as amended (the “*Tax Extension Limitation Law*”); and

WHEREAS, pursuant to and in accordance with the provisions of the Debt Reform Act, the Bonds are payable from the debt service extension base of the District (the “*Base*”), which is an amount equal to that portion of the extension of the District for the 1994 levy year constituting an extension for payment of principal of and interest on bonds issued by the District without referendum, but not including alternate bonds issued under Section 15 of the Debt Reform Act or refunding obligations issued to refund or to continue to refund obligations of the District initially issued pursuant to referendum, increased each year, commencing with the 2009 levy year, by the lesser of 5% or the percentage increase in the Consumer Price Index (as defined in the Tax Extension Limitation Law) during the 12-month calendar year preceding the levy year; and

WHEREAS, the Base for levy year 2016 is equal to \$1,139,214.23 (the “*2016 Base*”); and

WHEREAS, the principal of and interest due on the Bonds is set forth in Column (A) of *Exhibit A* and in certain levy years exceeds the taxes levied in the Bond Resolution; and

WHEREAS, in accordance with the School Code, the Debt Reform Act and the Tax Extension Limitation Law, the District has the authority to adopt a supplemental levy causing the amount of taxes levied to pay the principal of and interest on the Bonds and the District’s other outstanding non-referendum bonds to be increased up to the amount of the 2016 Base or the amount of the principal of and interest due on the Bonds and the District’s other outstanding non-referendum bonds payable from the taxes levied for each such levy year, whichever is less; and

WHEREAS, the Board has heretofore determined and does hereby determine that it is necessary and in the best interests of the District that the District adopt a supplemental tax levy to pay the principal of and interest on the Bonds as further described herein:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Education of School District Number 23, Cook County, Illinois, as follows:

Section 1. The preambles to this Resolution are hereby found and determined to be true, correct and complete and are hereby incorporated into this Resolution by this reference.

Section 2. The District does hereby levy for each of the years 2016 to 2023, inclusive, the supplemental amounts set forth in Column (C) of *Exhibit A*, which levy shall be extended against all of the taxable property in the District for the purpose of paying the principal of and interest on the Bonds. The taxes herein levied shall be in addition to and in excess of the taxes levied in the Bond Resolution. A schedule showing the aggregate of the taxes levied in the Bond Resolution and the taxes levied in this Resolution is set forth in Column (D) of *Exhibit A*.

Section 3. 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, and it shall be the duty of the County Clerk to annually in and for each of the years 2016 to 2023, inclusive, ascertain the rate necessary to produce the tax as set forth in Column (D) of *Exhibit A*, 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 amount 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 heretofore created and designated as the "School Bond and Interest Fund of 2014", 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.

Section 4. 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 5. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed and that this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted December 14, 2016.

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 School District Number 23, Cook 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

EXHIBIT A

SUPPLEMENTAL AND TOTAL TAXES LEVIED AND TO BE EXTENDED

YEAR OF LEVY	(A) DEBT SERVICE ON THE BONDS	(B) TAXES LEVIED IN 2014 AND 2015	(C) 2016 SUPPLEMENTAL TAX LEVY	(D) TOTAL TAXES TO BE EXTENDED TO PRODUCE
2016	\$ 88,812.50	\$ 50,095.16	\$7,919.07	\$ 58,014.23
2017	88,812.50	30,295.16	7,919.07	38,214.23
2018	88,812.50	25,564.49	7,919.07	33,483.56
2019	103,812.50	25,564.49	7,919.07	33,483.56
2020	108,212.50	25,564.49	7,919.07	33,483.56
2021	117,412.50	25,564.49	7,919.07	33,483.56
2022	876,212.50	694,495.16	7,919.07	702,414.23
2023	1,339,612.50	1,131,295.16	7,919.07	1,139,214.23

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

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 School District Number 23, Cook 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 14th day of December, 2016, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION authorizing a supplemental tax levy to pay the principal of and interest on outstanding limited bonds of School District Number 23, Cook County, Illinois.

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 48 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 48-hour period preceding said meeting, 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 14th day of December, 2016.

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of Cook, Illinois, and as such official I do further certify that on the ____ day of _____, 20__, there was filed in my office a duly certified copy of a resolution entitled:

RESOLUTION authorizing a supplemental tax levy to pay the principal of and interest on outstanding limited bonds of School District Number 23, Cook County, Illinois.

duly adopted by the Board of Education of School District Number 23, Cook County, Illinois, on the 14th day of December, 2016, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of said County, this ____ day of _____, 20__.

County Clerk

[SEAL]

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting School Treasurer who receives the taxes of School District Number 23, Cook County, Illinois (the “*District*”), and as such official I do further certify that on the 14th day of December, 2016, there was filed in my office a duly certified copy of a resolution entitled:

RESOLUTION authorizing a supplemental tax levy to pay the principal of and interest on outstanding limited bonds of School District Number 23, Cook County, Illinois.

duly adopted by the Board of Education of the District on the 14th day of December, 2016, and that the same has been deposited in the official files and records of my office.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 14th day of December, 2016.

School Treasurer

P:\projects\14025\000\Contracts\14-371-5C\01_Civil\Sheets\C-502.dwg 8/5/2016 1:40 PM



EISENHOWER SCHOOL

PROSPECT HEIGHTS LIBRARY

HA-1

PROSPECT HEIGHTS PARK DISTRICT

W CAMP McDONAL RD

ELM ST

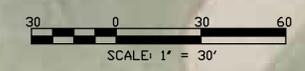
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WATERS OF THE U.S.

OUTLET PIPE

TRIBUTARY A

INLET WEIR



Seal

Rev.	Description	Appr.	Date

**METROPOLITAN WATER RECLAMATION DISTRICT
OF GREATER CHICAGO**

Engineers - Architects
Globetrotters
Engineering Corporation
Chicago, Illinois 60606 U.S.A.
PH 312-622-6400

Designed by: DH	Checked by: DH
Drawn by: BFL	Reviewed by: RH
Date: DECEMBER 2015	Scale: AS SHOWN

CONTRACT 14-371-5C
WILLOW ROAD FLOOD CONTROL PROJECT

STORAGE BASIN
AREA 2 - ELM STREET AREA

Sheet Number:
C-502

Page Number: XX

EXHIBIT C PROSPECT HEIGHTS SCHOOL DISTRICT 23 ROUTES (FINAL BID AWARD AMOUNT)

	<u>2016-2017</u> <u>Routes</u>	<u>Bus Route</u> <u>Type</u>	<u>2017 - 2018</u> <u>Per route rate</u>	<u>2017- 2018</u> <u>Extended amount</u>	<u>2018 - 2019</u> <u>Per route rate</u>	<u>2018 - 2019</u> <u>Extended Amount</u>	<u>2019 - 2020</u> <u>Per route rate</u>	<u>2019 - 2020</u> <u>Extended Amount</u>
(1)	26	Regular Routes (Grades K-8)	\$ 174.59	\$ 789,845.16	\$ 178.95	\$ 809,591.29	\$ 183.43	\$ 829,831.07
(2)	4	Mid-day Kindergarten	\$ 100.00	\$ 69,600.00	\$ 102.50	\$ 71,340.00	\$ 105.06	\$ 73,123.50
(3)	4	ECDEC (Preschool) Van AM	\$ 113.48	\$ 78,982.08	\$ 116.32	\$ 80,956.63	\$ 119.22	\$ 82,980.55
(4)	5	ECDEC (Preschool) Van PM	\$ 113.48	\$ 98,727.60	\$ 116.32	\$ 101,195.79	\$ 119.22	\$ 103,725.68
(5)	3	ECDEC (Preschool) Vans Mid-day	\$ 100.00	\$ 52,200.00	\$ 102.50	\$ 53,505.00	\$ 105.06	\$ 54,842.63
(6)	1	SPED Wheelchair (Van) Preschool AM	\$ 226.97	\$ 39,492.78	\$ 232.64	\$ 40,480.10	\$ 238.46	\$ 41,492.10
(7)	1	SPED Wheelchair (Van) Preschool Mid-day	\$ 100.00	\$ 17,400.00	\$ 102.50	\$ 17,835.00	\$ 105.06	\$ 18,280.88
(8)	75-100	Charter Routes	\$ 60.75	\$ 4,556.25	\$ 62.27	\$ 4,670.16	\$ 63.83	\$ 4,786.91
(9)	2	Summer School Routes	\$ 274.17	\$ 13,708.50	\$ 281.02	\$ 14,051.21	\$ 288.05	\$ 14,402.49
		Yearly Totals		\$ 1,164,512.37		\$ 1,193,625.18		\$ 1,223,465.81

Item numbers 1 through 7 are calculated based upon 174 days (estimated amounts for tabulation purposes only)

Item number 9 is calculated based upon 25 days (estimated amounts for tabulation purposes only)



D23/D214 Robotics/Co-curricular Facility Development

TO: Michael DeBartolo
Business Manager
Prospect Heights School District 23

FROM: Dan Weidner
Director of Career and Technical Education
Township High School District 214

DATE: December 2, 2016

Re: D23/D214 Robotics/Co-curricular Facility Proposal

Michael,

Following is some additional program information and an initial facility proposal based upon our discussion including Don Angelaccio, Deb Wilson, and Laz Lopez during our walkthrough of MacArthur Middle School on November 21, 2016.

I look forward to the continued work and discussions between our districts on this partnership. Please let Laz and I know how we can best support our discussions throughout our next steps of the process.

Thanks.
-Dan



Purpose

Create a multiuse, shared co-curricular facility and partnership between Township High School District 214 and Prospect Heights School District 23 to collaboratively address facility and program needs for robotics, engineering, and technology programs.

Rationale

District 214 and District 23 each offer robotics programming which addresses similar student interests and needs. The overlap in programming provides the potential for a mutually beneficial collaboration between the districts. Such collaboration could provide opportunities for improved articulation, alignment, and support of curriculum; development of formal high school/elementary school mentorship relationships; strategic acquisition of equipment; and shared development and use of facilities.

D59/D214 proposal summary

A multiuse, shared facility between District 214 and District 23 would be created at MacArthur Middle School to allow for expansion of opportunities within District 23's curriculum and support of District 214's Wildstang FIRST Robotics program. Equipment and facilities would be shared, and opportunities for student-student mentorships and collaborative instructional programming would be explored and supported.

District 214 program detail and use

Wildstang FIRST Robotics is a district-level course and student activity that meets after school throughout the school year. The program currently serves approximately 75 students and involves 25 adult mentors and coaches.

During the fall semester, all students and mentors meet once a week on Monday nights for a 3 hour class. Students learn the basics of robotics and work collaboratively on designing and building small scale VEX robots. The semester culminates in a regional VEX competition in December. Group instruction occurs in large group settings and individual and small group work would occur in 3-4 individual breakout classrooms/lab spaces. There is a moderate storage need for equipment and supplies.

During the spring semester, all students and mentors would meet once a week on Monday nights for 3 hours and in smaller teams of around 30 students on Tuesday through Friday nights for 3 hours and 8 hours during the day on Saturday. The focus of the spring is the design and construction of a large FIRST Robotics competition robot and accompanying playfield. Work requires a large meeting space on Monday nights and a workshop, 2-3 individual breakout classrooms/labs, and a gym space for use as a full competition playfield and test location for the robot Monday through Saturday. There is a large storage need for equipment and supplies during the spring semester.

Plans are being explored to expand the program to provide an additional tier to the robotics program. This tier would include an orientation course for early high school credit for 7th and 8th grade students. This program would have a more limited time commitment and may have the opportunity for involvement and employment of D23 staff as coaches and instructors.

D23/D214 facility proposal detail

District 214 proposes the following shared facility solution be investigated. The facilities will be able to be used by D23 staff and students during the school day and immediately after school. The facilities will be used by District 214 Wildstang Robotics staff, students, and mentors during the evening and weekends. Below are suggested facility usages for these purposes.

Purpose	Location	Use and description	Changes/needs
Workshop/Maker Space	Room 313	<p>Primary workshop for Wildstang Robotics and MacArthur technology program. Heavy construction and manufacturing of the robot and field elements will be done in this space.</p> <p>Room will be outfitted with power tools, work benches, and storage racks/shelves.</p> <p>D214 Robotics program will have dedicated build space and storage for their robots when work is in progress. Rolling work benches can be explored to meet this need.</p>	<p>D214 will outfit space with new benches and will provide additional workspace and industrial storage solutions along the sides of the room.</p> <p>Additional tooling will be provided by D214 as necessary. Large power tools will be shared between D214 and D23. Individual hand tools will be individually supplied by each district.</p> <p>Flooring and paint will be addressed to match the desired intent of the space.</p>
	Room 311	<p>Shared secondary workshop space and classroom space. Primary uses by Wildstang Robotics will include light assembly, electronics, and computer design/modeling.</p> <p>Collaborative technology solutions including monitors and Apple TVs will be installed in this space.</p> <p>Room will be outfitted with work benches, hand tools, and storage. Storage, tools, and equipment in room will be shared.</p> <p>Heavy construction and manufacturing will not occur in this space.</p>	<p>D214 will outfit space with new benches and collaborative technology.</p> <p>Electrical drops will be installed for each work station. Paint will be addressed to match the desired intent of the space.</p>

Collaborative Lab/Classroom Space	Room 309	<p>Shared collaborative classroom and lab spaces for both D214 and D23. Primary uses for Wildstang Robotics will be computer design/modeling, electronics, programming, and group meetings.</p> <p>Additional storage for program equipment and supplies.</p> <p>Space will include flexible furniture and collaborative technology solutions.</p>	<p>D214 will outfit space with flexible-use furniture (i.e. adjustable/varied height tables and chairs on casters) to allow for different collaborative classroom arrangements.</p> <p>Storage solutions will be mutually agreed upon.</p> <p>D214 will provide collaborative technology solutions (monitors, Apples TVs, etc).</p>
	Room 315		
Practice and Robot Test Space	Little Theater	<p>From January to May, the team will use space as a practice location for their robot. This space will be needed during the majority of practice sessions (evenings and weekends) during this period of time.</p> <p>Competition field elements will be brought into the gym at the start of practices and removed at the end of practices. They will be stored in external storage container.</p>	It will need to be identified whether carpet rolls will be needed to be placed over the existing flooring during practice.
Interior Storage	313A	Part of space will be dedicated for use by Wildstang Robotics.	Industrial storage solutions
	Additional added storage solutions in 311/313/315		
Large Group Meeting Space	Little Theater	On Monday evenings, space will be used for large group instruction.	<p>Chairs, desks, and/or tables.</p> <p>Projector and screen for presentations.</p>
	Room 308		
Additional Meeting/ Instructional Space	Room 402, 404, 406, or 408	Use for small group meetings and instruction.	No change necessary.



Micheal DeBartolo <mdebartolo@d23.org>

Fwd: FOIA Request for Records

Micheal DeBartolo <mdebartolo@d23.org>
To: nmihelich@irtaonline.org

Mon, Dec 5, 2016 at 2:59 PM

Dear Nathan:

The District is in receipt of your Freedom of Information request dated December 1, 2016. In that correspondence you requested "the name, title and email address of any teachers or administrators who are retiring in 2017."

Attached you will find the documents we have that are responsive to your request. The responsive documents include the personnel report(s) containing such information for any retirements that have been approved to date through the end of the 2016-17 school year.

Please let me know if you have any additional questions.

Micheal DeBartolo
Business Manager

Prospect Heights School District 23
700 North Schoenbeck Road
Prospect Heights, Illinois 60070

(847) 870-5552 Telephone
(847) 870-3896 Facsimile

----- Forwarded message -----

From: **Illinois Retired Teachers Association** <nmihelich@irtaonline.org>
Date: Thu, Dec 1, 2016 at 10:10 AM
Subject: FOIA Request for Records
To: dwilson@d23.org

Dear District Official / FOIA Officer:

This is a request under the Illinois Freedom of Information Act. Today's date is December 1, 2016.

RECORDS REQUESTED: Please provide the name, title and email address of any teachers or administrators who are retiring in 2017.

Please provide the requested records electronically. Please email to nmihelich@irtaonline.org.

This is a request by the Illinois Retired Teachers Association, a 501c4 Illinois organization.

Thank you,

Nathan Mihelich
IRTA

ILLINOIS RETIRED TEACHERS ASSOCIATION

1.800.728.4782

828 S. 2nd St.

Springfield, IL 62704

Stay In Touch



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Illinois Retired Teachers Association, 828 S Second St FL 4, Springfield, IL 62704

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Sent by nmihelich@irtaonline.org in collaboration with



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 **November Personnel Report.pdf**
39K

PERSONNEL REPORT

<u>Name</u>	<u>Position</u>	<u>Action</u>	<u>Effective</u>	<u>Salary</u>
1. Carrie Vergil	Director of Human Resources Central Administration	Employment	December 12, 2016	\$60,000
2. Steve Lee	Principal MacArthur	Retirement	June 30, 2017	
3. Debra Wilson	Superintendent Administration Center	Retirement	June 30, 2017	
4. Meghan Lopez	Bilingual Teacher Ross	FMLA	April 24, 2017 to August 21, 2017	

School Board

School District Elections ¹

School District elections are non-partisan, governed by the general election laws of the State, and include the election of School Board members, various public policy propositions, and advisory questions. ² Board members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years. ³ If, however, that date conflicts with the celebration of Passover, the consolidated election is postponed to the first Tuesday following the last day of Passover. ⁴ The canvass of votes is conducted by the election authority within 21 days after the election. ⁵

The Board, by proper resolution, may cause to be placed on the ballot: (a) public policy referendum according to Article 28 of the Election Code, or (b) advisory questions of public policy according to Section 9-1.5 of the School Code. ⁶

The Board Secretary serves as the local election official. He or she receives petitions for the submission of a public question to referenda and forwards them to the proper election officer and otherwise provides information to the community concerning District elections. ⁷

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

¹ State law controls this policy's content. Consult the board attorney early concerning any election question.

² 105 ILCS 5/9-10, ~~amended by P.A. 98-115~~, provides that nominating petitions are filed with the county clerk or the county board of election commissioners if one was created pursuant to 10 ILCS 5/6A-1. Objections to nominating petitions or to a petition for a public question are submitted to the county officers electoral board (10 ILCS 5/10-8 and 10-9, ~~amended by P.A. 98-115~~). ~~P.A. 98-115 amended t~~The Election Code ~~also addresses regarding~~ reportable campaign contributions (10 ILCS 9-1.8); simultaneous filing of nominating petitions (10 ILCS 5/10-6.2); withdrawal from nomination (10 ILCS 5/10-7); Electoral Board duties (10 ILCS 5/10-10); and advertising in proximity of a polling place (10 ILCS 5/19A-70). See also 10 ILCS 5/1-3, ~~amended by P.A. 99-522, eff. 1-1-17~~, (definitions), 5/2A (time of holding elections), and 5/28 (submitting public questions). The school board secretary or clerk has no statutory duties regarding the election of members to the school board. He or she is well-~~advised~~ to refer all questions to the county clerk or the county board of election commissioners, whichever is applicable.

³ 10 ILCS 5/2A-1.1.

⁴ 10 ILCS 5/2A-1.1a.

⁵ The appropriate *election authority* (county clerk or election commission) canvasses the vote for school district elections (10 ILCS 5/1-8). The election authority must canvass the vote within 21 days after the election (10 ILCS 5/22-17 and 5/22-18). Within 28 days after the consolidated election, boards must hold an organizational meeting to elect officers and fix a time and place for regular meetings (105 ILCS 5/10-16). See policy 2:210, *Organizational School Board Meeting*.

⁶ This policy addresses two types of public questions: (1) binding referendum governed by 10 ILCS 5/28, and (2) advisory questions of public policy governed by 105 ILCS 5/9-1.5. An advisory question must be authorized by majority vote of the board. A third type of public question – a voter-initiated petition – is not covered in the policy; the board does not have any duties regarding this type of petition. A voter-initiated petition must be filed with the school board secretary who, if the timelines are met, must certify the question to be placed on the ballot to the county clerk (10 ILCS 5/10-15, 5/28-2, and 5/28-5).

⁷ 10 ILCS 5/28-6 provides that any petition for the submission of a public question to referendum must be filed with the *local election official*. The board secretary or clerk is the *local election official* (105 ILCS 5/9-2 and 10 ILCS 5/1-3). ~~P.A. 98-115 reassigned many~~ See *f/n 2* as ~~many of the~~ duties of the *local election official* ~~were reassigned after the 2014 changes to the law; see f/n 2~~. The board may delete the following PR function: “~~and otherwise provides information to the community concerning District elections.~~”

DRAFT UPDATE

Board of Education

Board Member Development

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

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

Pertinent educational materials, publications, and notices of training or development received by the District or individual Board members will be made available to all Board members through Board packets, direct mail, or other distribution method.

Mandatory Board Member Training

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

1. Each Board member ~~elected or appointed to fill a vacancy of at least one year's duration~~ must complete at least ~~4~~four hours of professional development leadership training in education and labor law, financial oversight and accountability, and fiduciary responsibilities within the first year of his or her first term. ~~This requirement is applicable to Board members who are elected after June 13, 2011 or who are appointed to fill a vacancy of at least one year's duration after that date.~~
2. Each Board member must complete training on the Open Meetings Act no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificate of completion with the Board. Training on the Open Meetings Act is only required once.
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal using the optional alternative evaluation dismissal process. This dismissal process is available after the District's PERA implementation date.

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

Professional Development; Adverse Consequences of School Exclusion; Student Behavior

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

Board Self-Evaluation

The Board will conduct periodic self-evaluations with the goal of continuous improvement.

Comment [APowell1]:

Updated to remove the past date.

Issue 93, October 2016

Comment [APowell2]:

Optional. The School Code encourages Board members to be trained on these issues. A course on SB 100 will soon be available through IASB's Online Learning Center (OLC). Inquire at: onlinelearning@iasb.com.

Issue 93, October 2016

DRAFT UPDATE

New Board Member Orientation

The orientation process for newly elected or appointed Board members includes:

1. The Board President or Superintendent, or their designees, shall give each new Board member a copy of or online access to the Board Policy Manual, the Board's regular meeting minutes for the past year, and other helpful information including material describing the District and explaining the Board's roles and responsibilities.
2. The Board President or designee shall schedule one or more special Board meetings, or schedule time during regular meetings, for Board members to become acquainted and to review Board processes and procedures.
3. The Board President may request a veteran Board member to mentor a new member.
4. All new members are encouraged to attend workshops for new members conducted by the Illinois Association of School Boards.

Candidates

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

LEGAL REF.: 5 ILCS 120/1.05 and 120/2.
105 ILCS 5/10-16a and 5/24-16.5.

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

ADOPTED: ~~November 13, 2013~~

DRAFT UPDATE – REWRITTEN

2:125 - BOE

School Board

Board Member Compensation: Expenses¹

Board Member Compensation Prohibited²

Board of Education members provide volunteer service to the community and may not receive compensation for services, except that a Board member serving as the Board Secretary may be paid an amount up to the statutory limit if the Board so provides.

Roll Call Vote³

All Board member expense requests for travel, meals, and/or lodging must be approved by roll call vote at an open meeting of the Board.

Regulation of School District Expenses⁴

The Board regulates the reimbursement of all travel, meal, and lodging expenses in the District by resolution.⁵ No later than approval of the annual budget and when necessary,⁶ the Superintendent will

Comment [APowell1]:

This policy implements the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.

The footnote material is provided here for your information; once this policy has been adopted, the footnotes and copyright information will be removed.

Issue 93, October 2016

Comment [APowell2]:

The introduction provides information to the community that board members are public servants, and they do not receive *perks* or *compensation*.

Issue 93, October 2016

Comment [APowell3]:

50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 allows boards to determine this timeline locally.

Other options for the timing of when boards should set the MARA include:

- OPTION 1: Delete ~~No later than approval of the annual budget~~ and replace it with "At the start of each fiscal year"
- OPTION 2: Delete ~~No later than approval of the annual budget~~ and replace it with "At the start of each school year"
- OPTION 3: Delete ~~No later than approval of the annual budget~~ and replace it with "At the start of each calendar year" or
- OPTION 4: Delete "No later than approval of the annual budget" and replace it with "When presenting the proposed budget".

Consider consulting the board's auditors to assist with this decision.

Issue 93, October 2016

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

¹ State law controls this policy's content (105 ILCS 5/10-9, 5/10-10 and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); and the Local Government Travel Expense Control Act (ECA) 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 (regulation of travel expenses)). The deadline for implementation of this policy under the ECA is 7-1-17, but as a practical matter, see the third paragraph of *f/n* 3, below.

² The legal limit for board secretary compensation is \$500 (105 ILCS 5/10-14).

³ 50 ILCS 150/15, added by P.A. 99-604, eff. 1-1-17. 105 ILCS 5/10-7 also states, "[o]n all questions involving the expenditure of money, the yeas and nays shall be taken and entered on the records of the proceedings of the board," i.e., a *roll call vote*.

Although the School Code has always required a roll call vote on public expenditures, on and after 60 days after the effective date of the ECA, a roll call vote will also be required for any:

1. Officer or employee of the board that exceeds the *maximum allowable reimbursement amount* (MARA) set by the board in its resolution to regulate expenses, and
2. Board member (50 ILCS 150/15, added by P.A. 99-604, eff. 1-1-17).

A majority of school law firms agree that the "on or after 60 days" date discussed in the paragraph above is 3-2-17. Some school law firms will use the date 3-1-17. There is also a policy-component deadline "[o]n and after 180 days after the effective date of [the ECA]." That date is 6-30-17. Many school law firms opine that, as a practical matter, boards should complete both the MARA and policy requirements of the ECA by late Feb. 2017 and no later than 3-1-17. Consult the board attorney about these dates. See *f/n* 13, below for more discussion about amending or adopting another resolution when expenses exceed the MARA required by the ECA.

⁴ 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 requires boards to regulate the reimbursement of expenses by *resolution* or *ordinance*. Unlike like the powers granted by the Ill. General Assembly to municipalities to pass ordinances, school boards govern by rules referred to as *policies* (105 ILCS 5/10-20.5). Further, school boards may only exercise powers given to them that are consistent with the School Code that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board (105 ILCS 5/10-20). Therefore, to effectuate the intent of the ECA's requirement to *regulate* expenses with an ordinance or resolution and stay within the confines of the School Code and best practice (minimize liability while aligning with the IASB "Foundational Principles of Effective Governance"), the language in this subhead:

1. Retains with the board its duty to *regulate* expenses through policy with a reference to a resolution that will define and set the types of allowable expenses in the district through the adoption of board policies 2:125, *Board Member Compensation: Expenses* and 5:60, *Expenses* (105 ILCS 5/10-20)(see *f/n* 5, below);
2. Delegates to the superintendent the duty to recommend an appropriate MARA to the board for adoption in its resolution to regulate expenses (see *f/n* 7, below).

2:125

Page 1 of 6

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DRAFT UPDATE – REWRITTEN

recommend a maximum allowable reimbursement amount for expenses to be included in the resolution.⁷ The recommended amount should be based upon the District's budget and other financial considerations.⁸

Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the Board member,⁹ (2) anyone's personal expenses,¹⁰ or (3) entertainment expenses.¹¹ Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events,

⁵ *Id.* For a sample resolution, see 2:125-E3, *Resolution to Regulate Expense Reimbursements*. Consult the board attorney about how often the board should adopt or revisit its resolution (see *f/n* 6 and 8, below). For discussion about setting an annual time of year to adopt the resolution, see *f/n* 6, below.

⁶ 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 allows boards to determine this timeline locally.

While the ECA does not require boards to adopt an *annual* resolution to regulate expenses, an annual review provides a way for the board to monitor this policy's implementation and its duties under the ECA and policy 2:240, *Board Policy Development*.

This sample policy uses "No later than approval of the annual budget" to align with 105 ILCS 5/17-1 (annual budget adoption within the first quarter of each fiscal year). The words *and when necessary* allow for flexibility in situations discussed in *f/n* 13, below (*emergency and/or an extraordinary circumstance*).

Consider consulting the board's auditors to assist with this decision. Other options for the timing of when boards should set the MARA include:

1. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each fiscal year"
2. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each school year"
3. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each calendar year" or
4. Deleting "~~No later than approval of the annual budget~~" and replacing it with "When presenting the proposed budget".

⁷ For practical purposes, this duty is delegated to the superintendent because:

1. The School Code:
 - a. Allows the board to delegate duties to the superintendent (105 ILCS 5/10-16.7), and
 - b. Assigns to the superintendent the duty to make recommendations to the board concerning the budget (105 ILCS 5/10-21.4); and
2. The MARA should be based upon a district's financial resources and other considerations important to the local district.

⁸ The ECA does not define MARA or how to determine it (see the first sentence of *f/n* 6, above). The board and superintendent should have a conversation that addresses at minimum the following topics:

1. Should the superintendent use and refer to line items from the current budget?
2. Would the board set per diems or set a very large number for the board and/or all of the district employees – both have their advantages and disadvantages.
3. Should the board categorize MARA by activity?
4. Will it be categorized by individual responsibilities to the district or job titles/classes?
5. Should there be an amount category for each type of travel: airfare, train, automobile, taxi, etc.?
6. Will there be a special category for recurring and/or required training opportunities for teachers and board members?

These choices will depend upon many factors, including the budget, perhaps an auditor's recommendation, the community's preferences, and advice from the board attorney.

Amend the language throughout this subhead and in the fourth WHEREAS paragraph in 2:125-E3, *Resolution to Regulate Expense Reimbursements* to reflect local preferences. Consider that inserting the actual MARA into the policy would likely require more formal continual policy updates as opposed to amending the resolution if a board needs to increase its MARA for any reason. For example, see the discussion in *f/n* 13, below.

⁹ 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses from being advanced or reimbursed to any person other than a board member or employee of the district.

¹⁰ Optional. *Personal expenses* are not defined in 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17 or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State's widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

¹¹ 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17.

DRAFT UPDATE – REWRITTEN

or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.¹²

Exceeding the Maximum Allowable Reimbursement Amount(s)

All requests for expense advancements, reimbursements, and/or purchase orders that exceed the maximum allowable reimbursement amount set by the Board may only be approved by it when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting. ¹³

Advancements

The Board may advance to its members actual and necessary expenses to be incurred while attending:¹⁴

1. Meetings sponsored by the Illinois State Board of Education or by the Regional Superintendent of Schools;¹⁵
2. County or regional meetings and the annual meeting sponsored by any school board association complying with Article 23 of the School Code; and
3. Meetings sponsored by a national organization in the field of public school education.

Expense advancement requests must be submitted to the Superintendent or designee on the Board's standardized estimated expense approval form. After spending expense advancements, Board members must use the Board's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. A Board member must return to the District any portion of an

Comment [APowell4]:

The Ill. Gen. Assembly abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

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

Issue 93, October 2016

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

¹² *Id.*

¹³ 50 ILCS 150/10 and 15, added by P.A. 99-604, eff. 1-1-17. A board may need to revisit its resolution to regulate expenses more often than annually if (a) an expense reimbursement amount exceeds the MARA set in the board's resolution, and (b) an *emergency* or an *extraordinary circumstance* does not exist. Consult the board attorney in these circumstances to determine whether the board may need to revisit and amend its resolution to increase the MARA before approving the expenses exceeding it.

Emergency or an *extraordinary circumstance* is not defined by the ECA, but these terms are meant to allow boards flexibility when expenses exceed the MARA. Yet approving expense reimbursement requests that exceed the MARA as *emergencies* or *extraordinary circumstances* when the board or superintendent "did not plan well" or "an organization's conference fees went up more than expected this year after the board adopted its resolution," may open the board to public relations and other legal challenges. See *Laukhuf v. Board of Education*, 2003 WL 23936148 (Ill. Cir. 2003) (addressing what constitutes an *emergency* in the context of the Open Meetings Act, which similar to the ECA, also does not define the term, and holding an emergency meeting to cure a situation that a school board created itself is not an emergency within the confines of OMA).

While the ECA does not provide for specific legal penalties for the wrongful approval of expenses, it is not clear whether a court may find in circumstances of poor MARA planning, that an *emergency* or *extraordinary circumstance* under the ECA did not exist and grant relief requested by a challenger as allowed under State law.

¹⁴ 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This advancement language pre-dates the ECA and is narrower than the ECA. A reasonable interpretation is that the MARA required in the ECA would apply to any advancement amount. This policy seeks to reconcile and highlight the differences between the School Code and the ECA requirements by separating School Code advancements into a separate subhead from ECA reimbursements (estimated and actual). For more distinctions between these laws and further discussion, see *f/n* 20, below.

¹⁵ Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center." The Ill. Gen. Assembly abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

2:125

Page 3 of 6

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DRAFT UPDATE – REWRITTEN

expense advancement not used.¹⁶ If an expense advancement is not requested, expense reimbursements may be issued by the Board to its members for the activities listed in numbers one through three, above, along with registration fees or tuition for a course(s) that allowed compliance with the mandatory trainings described in policy 2:120, *Board Member Development* and other professional development opportunities that are encouraged by the School Code (see the **Reimbursements and Purchase Orders** subhead, below).¹⁷ Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursement is not guaranteed and, when possible, Board members should seek pre-approval of expenses¹⁸ by providing an estimation of expenses on the Board's standardized estimated expense approval form, except in situations when the expense is diminutive. When pre-approval is not sought, Board members must seek reimbursement on the Board's standardized expense reimbursement form. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Credit and Procurement Cards ¹⁹

Credit and procurement cards shall not be issued to Board members.

Comment [APowell5]:
OPTION: A board may expand this provision's scope by amending and adding to the sentence as follows:
"and other professional development opportunities that are encouraged by the School Code, and other training provided by one of the entities described in the above list."
Issue 93, October 2016

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

¹⁶ 105 ILCS 5/10-22.32 requires the return of excess advancements that are issued.

¹⁷ Boards have this power under 105 ILCS 5/10-20; this statute specifies that the grant of powers to school boards is not exclusive and that school boards may exercise other powers that are not inconsistent with duties. A board may expand this provision's scope by amending and adding to the sentence as follows:

"and other professional development opportunities that are encouraged by the School Code, and other training provided by one of the entities described in the above list."

See also *f/n* 8 in policy 2:120, *Board Member Development* for an example of a board member professional development opportunity that is encouraged by the School Code.

¹⁸ Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense *pre-approvals*. 50 ILCS 150/20 states: "an *estimate* if expenses have not been incurred ..." or "a *receipt* ..." if the expenses have already been incurred." suggesting no pre-approval is necessary. However, pre-approval is a best practice, and a board member who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements* reflects the district's specific pre-approval requirements. For an example of a standardized *estimated* expense form that could be used as a form of pre-approval, see 2:125-E2, *Board Member Estimated Expense Approval Form*. The form provides three methods for board members to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

¹⁹ Optional. Consult the board attorney about issuing credit and procurement cards to board members. See *f/n* 1 of policy 4:55, *Use of Credit and Procurement Cards*.

If in consultation with the board attorney credit and procurement cards will be issued to board members, delete "Credit and procurement cards shall not be issued to Board members" and insert "Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*."

DRAFT UPDATE – REWRITTEN

Standardized Expense Form(s) Required 20

All requests for expense advancement, reimbursement, and/or purchase orders in the District must be submitted on the appropriate itemized, signed standardized form(s). The form(s) must show the following information:

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and office of the Board member who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants. ²¹
3. The date(s) of the official business on which the expense advancement or reimbursement will be or was expended.
4. The nature of the official business conducted when the expense advancement or reimbursement will be or was expended.

Types of Official Business for Expense Advancements, Reimbursements, and Purchase Orders

1. Registration. When possible, registration fees will be paid by the District in advance.
2. Travel. The least expensive method of travel will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for:
 - a. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Copies of airline tickets must be attached to the expense form.
 - b. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
 - c. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
 - d. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
 - e. Taxis, airport limousines, or other local transportation costs.
3. Meals. Meals charged to the School District should represent mid-fare selections for the hotel/meeting facility or general area, consistent with the maximum allowable reimbursement

Comment [APowell6]:

OPTION: Alternatively, a board could set a daily limit on meal costs, such as:
Board members will be reimbursed for meal costs and tips up to \$____ per day consistent with the maximum allowable reimbursement amount(s) set by the Board.

Consult the Board's previous version of policy 2:125 to see whether a daily limit is currently in place.

But see also footnote 8 and ensure this amount is consistent with the MARA set by the board resolution.

Issue 93, October 2016

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

²⁰ 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32). The **PRESS** materials on expenses marry the School Code's advancement voucher requirement into the ECA's requirement for a standardized estimated expense form. For an example, see 2:125-E2, *Board Member Estimated Expense Approval Form* and 5:60-E2, *Employee Estimated Expense Approval Form*. These forms provide three methods for board members or district employees to submit anticipated/estimated expenses:

1. Providing estimated expenses under 50 ILCS 150/.
2. Requesting expense advancements for the activities listed under 105 ILCS 5/10-22.32, or
3. Obtaining a purchase order (highly unlikely for anticipated board member expenses but possible).

²¹ Id. at (2) and (3).

2:125

Page 5 of 6

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DRAFT UPDATE – REWRITTEN

amount set by the Board.²² Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

4. Lodging. Board members should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Board members should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.
5. Miscellaneous Expenses. Board members may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF.: 105 ILCS 5/10-20 and 5/10-22.32.
Local Government Travel Expense Control Act, 50 ILCS 150/.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:120 (Board Member Development), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 5:60 (Expenses)

ADOPTED:

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

²² Alternatively, a board could set a daily limit on meal costs, such as:

Board members will be reimbursed for meal costs and tips up to \$_____ per day consistent with the maximum allowable reimbursement amount(s) set by the Board.

But see also f/n 8, above and ensure this amount is consistent with the MARA set by the board resolution.

2:125

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Page 6 of 6

DRAFT UPDATE

Prospect Heights School District 23

2:200

Board of Education

Types of Board of Education Meetings

General

For all meetings of the Board of Education and its committees, the Superintendent or designee shall satisfy all notice and posting requirements contained herein as well as in the Open Meetings Act. This shall include mailing meeting notifications to news media that have officially requested them and to others as approved by the Board. Unless otherwise specified, all meetings are held in the District's main office. Board policy 2:220, *Board of Education Meeting Procedure*, governs meeting quorum requirements.

The Superintendent is designated on behalf of the Board and each Board committee to receive the training on compliance with the Open Meetings Act that is required by Section 1.05(a) of that Act. The Superintendent may identify other employees to receive the training. In addition, each Board member must complete a course of training on the Open Meetings Act as required by Section 1.05(b) or (c) of that Act.

Regular Meetings

The Board announces the time and place for its regular meetings at the beginning of each fiscal year. The Superintendent shall prepare and make available the calendar of regular Board meetings. The regular meeting calendar may be changed with 10 days' notice in accordance with State law.

A meeting agenda shall be posted at the District's main office and the Board's meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting.

Closed Meetings

The Board and Board committees may meet in a closed meeting to consider the following subjects:

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act], 5 ILCS 120/2(c)(1), amended by P.A. 99-646.
2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
3. The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-judicative body, as defined in the Open Meetings Act,

Comment [APowell1]:

Discussing the elimination of an employee's position for reasons unrelated to the performance of the employee is not within the scope of Section 2(c)(1). Nor does the exception permit a public body to hold closed sessions to discuss employees in general or issues that may ultimately have an impact on employees.

The Local Government Wage Increase Transparency Act, 50 ILCS 155/1, added by P.A. 99-646, allows *disclosable payments* (described below) to IMRF employees only when the school board has first discussed the specific payment to be made at a meeting open to the public and posted and held in accordance with the requirements of the Open Meetings Act.

The provisions apply only to disclosable payments made to participating employees under Article Seven of the Illinois Pension Code (IMRF) who began participation before 1-1-11 and who are not subject to a collective bargaining agreement with respect to the employment upon which the participation is based.

Disclosable payments means a payment, whether in the form of an increase in the rate of earnings or a lump-sum payment, that would:

1. Be made by a participating employer to a participating employee after the employee has expressed to the employer his or her intent to retire or withdraw from service;
2. Have the effect of increasing the employee's reportable monthly earnings from that employer by more than 6% compared to the previous month; and
3. Be made between 12 months and 90 days prior to the employee's expected termination of service.

It does not include a refund of contributions or any payment required to be paid by State or federal law.

Issue 93, October 2016

2:200

Page 1 of 3

DRAFT UPDATE

provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).

5. The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
6. The setting of a price for sale or lease of property owned by the public body. 5 ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
8. Security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8), amended by P.A. 99-235, eff. 1-1-16.
9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
12. The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).
13. Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16).
14. Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
15. Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

The Board may hold a closed meeting, or close a portion of a meeting, by a majority vote of a quorum, taken at an open meeting. The vote of each Board member present, and the reason for the closed meeting, will be publicly disclosed at the time of the meeting and clearly stated in the motion and the meeting minutes.

A single motion calling for a series of closed meetings may be adopted when such meetings will involve the same particular matters and are scheduled to be held within 3 months of the vote.

No final Board action will be taken at a closed meeting.

DRAFT UPDATE

Reconvened or Rescheduled Meetings

A meeting may be rescheduled or reconvened. Public notice of a rescheduled or reconvened meeting shall be given in the same manner as that for a special meeting, except that no public notice is required when the original meeting is open to the public and: (1) is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda.

Special Meetings

Special meetings may be called by the President or by any 3 members of the Board by giving notice thereof, in writing, stating the time, place, and purpose of the meeting to remaining Board members by mail at least 48 hours before the meeting, or by personal service at least 24 hours before the meeting.

Public notice of a special meeting is given by posting a notice at the District's main office at least 48 hours before the meeting and by notifying the news media that have filed a written request for notice. A meeting agenda shall accompany the notice.

All matters discussed by the Board at any special meeting must be related to a subject on the meeting agenda.

Emergency Meetings

Public notice of emergency meetings shall be given as soon as practical, but in any event, before the meeting to news media that have filed a written request for notice.

Posting on the District Website

In addition to the other notices specified in this policy, the Superintendent or designee shall post the following on the District website: (1) the annual schedule of regular meetings, which shall remain posted until the Board approves a new schedule of regular meetings; (2) a public notice of all Board meetings; and (3) the agenda for each meeting which shall remain posted until the meeting is concluded.

LEGAL REF.: 5 ILCS 120/, Open Meeting Act.
5 ILCS 140/, Freedom of Information Act.
105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:110 (Qualifications Term, and Duties of Board Officers), 2:120 (Board Member Development), 2:210 (Organizational Board of Education Meetings), 2:220 (Board of Education Meeting Procedure), 2:230 (Public Participation at Board of Education Meetings and Petitions to the Board), 6:235 (Access to Electronic Networks)

ADOPTED: January 14, 2016

DRAFT UPDATE

Prospect Heights School District 23

2:220

Board of Education

Board of Education Meeting Procedure

Agenda

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

Each Board meeting agenda shall contain the general subject matter of any item that will be the subject of final action at the meeting. Any Board member may submit suggested agenda items to the Board President for his or her consideration for an upcoming meeting. District residents may suggest inclusions for the agenda. The Board will take final action only on items contained in the posted agenda; items not on the agenda may still be discussed.

The Superintendent shall provide a copy of the agenda, with adequate data and background information, to each Board member at least 48 hours before each meeting, except a meeting held in the event of an emergency. The meeting agenda shall be posted in accordance with Board policy 2:200, *Types of Board of Education Meetings*.

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

Voting Method

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

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

Any Board member may include a written explanation of his or her vote in the District file containing individual Board member statements; the explanation will not be part of the minutes.

Minutes

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

1. The meeting's date, time, and place;
2. Board members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;

2:220

Page 1 of 3

Comment [APowell1]:

1. This policy language is unchanged, but new information was added to the footnote:
Directing the sale of district real property or buildings thereon must be approved by at least 2/3 of the board members (105 ILCS 5/5-22, amended by P.A. 99-794, eff. 1-1-17), unless the sale is residential property constructed or renovated by students as part of a curricular program, in which case, the board could engage the services of a licensed real estate broker to sell the property for a commission not to exceed 7%, contingent upon the public listing of the property on a multiple listing service for a minimum of 14 calendar days and a sale of the property happens within 120 days.

This law originated through IASB resolutions.

Issue 93, October 2016

DRAFT UPDATE

4. On all matters requiring a roll call vote, a record of who voted "yea" and "nay";
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;
6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting;
7. A record of all motions, including individuals making and seconding motions;
8. Upon request by a Board member, a record of how he or she voted on a particular motion; and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

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

At least semi-annually in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) decides which, if any, no longer require confidential treatment and are available for public inspection. The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release.

The Board's meeting minutes must be submitted to the Board Treasurer at such times as the Treasurer may require.

The official minutes are in the custody of the Board Secretary. Open meeting minutes are available for inspection during regular office hours within 10 days after the Board's approval; they may be inspected in the District's main office, in the presence of the Secretary, the Superintendent or designee, or any Board member.

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

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

Verbatim Record of Closed Meetings

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

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

Individual Board members may access listen to verbatim recordings in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member. Access to the verbatim recordings is available at the District's administrative offices or the verbatim recording's official storage location. Requests shall be made to the Superintendent or Board President, when that action is While a Board member is listening to a verbatim recording, it shall not be re-recorded or

Comment [APowell2]:

5 ILCS 120/2.06(e), amended by P.A. 99-515. The listed individuals in the statute are matched to the titles in the IASB Policy Reference Manual.

OPTION: If the board wishes to mirror the statutory language, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body."

Issue 93, October 2016

Comment [APowell3]:

The intent of the *in the presence of* language is meant to protect both (1) the verbatim recordings/closed session minutes and (2) the board members requesting access to them. It ensures that a school district official is present at all times when a requesting board member accesses the verbatim recording/closed session minutes. The requirement is meant to prevent misuse and removal of the verbatim recording/closed session minutes from the district offices or official storage location. It is also meant to protect the board member who requests the access from being alone and in a situation where he or she could potentially be accused of tampering with or taking the verbatim recording/closed session minutes.

Issue 93, October 2016

Comment [APowell4]:

Consult the board attorney about:

1. The practice of sending an *appointed* board member to be present with a board member who requests access to verbatim recordings/closed session minutes. 105 ILCS 120/2.06(e) states, "any *elected* member of the Board;" appointed is not listed but is mentioned elsewhere in the language of this section of the law;
2. Access to verbatim recordings/closed session minutes by other officials employed by the district, e.g., superintendent or other high-level administrators and even the board attorney; and
3. How this law affects the sharing of closed session minutes with board members prior to a meeting at which the closed session minutes will be approved.

The intent of P.A. 99-515 was to manage a board member's *individual* request for access to these items in his or her individual capacity (see 2-80, *Board Member Oath and Conduct*), not change prior practices in regard to other officials and board attorneys or the required work of school boards under various laws. While many attorneys do not interpret the new law to restrict access or change procedures for these other high-level school officials and attorneys employed by the district, some attorneys do and it is important to obtain legal advice on this specific issue.

Issue 93, October 2016

DRAFT UPDATE

removed from the District's main office or official storage location, except by vote of the Board or by court order.

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

Quorum and Participation by Audio or Video Means

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

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

Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use Robert's Rules of Order, Newly Revised (10th Edition), as a guide when a question arises concerning procedure.

Broadcasting and Recording Board Meetings

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

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

LEGAL REF.: 5 ILCS 120/2a, 120/2.02, 120/2.05, and 120/2.06.
105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.

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

ADOPTED: February 13, 2013

Comment [APowell15]:

This paragraph is optional. It provides boards an opportunity to discuss and encourage each member to carefully think about purposes for their requests to listen to verbatim recordings, which historically has been and should continue to be to "access information relevant to the exercise of duties" for the public body. Intra-board conflicts may escalate if the recording is used to confirm or dispute who-said-what. Prior to P.A. 99-515, the Open Meetings Act did (and still does) allow boards to release these types of information (5 ILCS 120/2.06(e)). Further, Att'y Gen. Op. 32, 1996, opined that board members cannot be denied access to information relevant to the exercise of his or her duties. Board members should evaluate whether their requests under P.A. 99-515 are "relevant to the exercise of their duties" before making such requests. Confirming or disputing who-said-what diverts resources away from operations of the district in educating its students. Additional considerations in listening to verbatim recordings may include personnel and student records confidentiality issues, which should be discussed with the board attorney.

Issue 93, October 2016

School Board

Access to District Public Records 1

Full access to the District's *public records* is available to any person as provided in the Illinois Freedom of Information Act (FOIA), this policy, and implementing procedures. The Superintendent or designee shall: (1) provide the Board with sufficient information and data to permit the Board to monitor the District's compliance with FOIA and this policy, and (2) report any FOIA requests during the Board's regular meetings along with the status of the District's response. 2

Freedom of Information Officer 3

The Superintendent shall serve as the District's Freedom of Information Officer and assumes all the duties and powers of that office as provided in FOIA and this policy. The Superintendent may delegate these duties and powers to one or more designees, but the delegation shall not relieve the Superintendent of the responsibility for the action that was delegated.

Definition 4

The District's *public records* are defined as records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary material pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of the School District.

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

1 The Illinois Freedom of Information Act (FOIA) governs the subject matter in this policy (5 ILCS 140/). School districts are required to make public records available to any person for inspection or copying, unless they fall within an exception (5 ILCS 140/3(a)). The *f/n*s only discuss sections of FOIA that are relevant to school districts. State law does not explicitly require boards to adopt a policy on access to their records. However, a board policy is the logical instrument to memorialize the actions that are required to implement FOIA. The laws limiting the disclosure of employee evaluations are discussed in *f/n* 7.

Any person denied access to a public record may request a review by the Ill. Public Access Counselor (PAC) established in the office of the Attorney General (5 ILCS 140/9.5). As a result of the review, the PAC may issue an opinion binding on the requester and public body. IASB reports on the opinions relevant to school districts on its website at:

www.iasb.com/law/decisions.cfm?SubjectArea=Freedom%20of%20Information%20Act%20-%20FOIA.

2 This sentence allows a board to monitor the district's compliance with FOIA. This is an important duty as illustrated by FOIA's provision stating: "It is a fundamental obligation of government to operate openly and provide public records as expediently and efficiently as possible." The School Code requires the FOIA report described in #2 (105 ILCS 5/10-16); it is optional, however, for districts governed by a board of school directors.

3 Each board must designate one or more official(s) or employee(s) to act as its freedom of information officer(s) (5 ILCS 140/3.5)(referred to in the *f/n*s as **FOIA Officer**). A board may replace *Superintendent* in this paragraph with another job title, or may replace the paragraph with one of the alternatives below:

Alternative 1: The Board will appoint an employee to serve as the District's Freedom of Information Officer. That appointee assumes all the duties and powers of that office as provided in FOIA and this policy.

Alternative 2: The Superintendent shall appoint an employee, who may be himself or herself, to [continue as with alternative 1].

4 The definition is quoted from 5 ILCS 140/2(c). Substitute the following alternative for this paragraph if desired: "The definition of *public records*, for purposes of this policy, is the definition contained in Section 2(c) of FOIA without amendment."

Requesting Records 5

A request for inspection and/or copies of public records must be made in writing and may be submitted by personal delivery, mail, telefax, or email directed to the District's Freedom of Information Officer. Individuals making a request are not required to state a reason for the request other than to identify when the request is for a commercial purpose or when requesting a fee waiver. The Superintendent or designee shall instruct District employees to immediately forward any request for inspection and copying of a public record to the District's Freedom of Information Officer or designee.

Responding to Requests

The Freedom of Information Officer shall approve all requests for public records unless:

1. The requested material does not exist; 6
2. The requested material is exempt from inspection and copying by the Freedom of Information Act; 7 or
3. Complying with the request would be unduly burdensome. 8

Within five business days after receipt of a request for access to a public record, the Freedom of Information Officer shall comply with or deny the request, unless the time for response is extended as specified in Section 3 of FOIA.⁹ The Freedom of Information Officer may extend the time for a response for up to five business days from the original due date.¹⁰ If an extension is needed, the Freedom of Information Officer shall: (1) notify the person making the request of the reason for the

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

5 This section restates 5 ILCS 140/3(c). Districts may, but are not required to, accept oral requests. Compliance with an oral request may stave off the formal written request and permit more flexibility in the response. Add this option if the district wants to accept oral requests: "Oral requests may be accepted provided personnel are available to handle them." The response to an oral request should be documented. Districts may provide a request form for convenience but may not require its use. See 2:250-E1, *Written Request for District Public Records*.

6 FOIA does not require a public body to create a record (5 ILCS 140/1). However, compiling information already in the public body's possession into a different format in order to respond to a FOIA request does not constitute the creation of a new record (PAO 15-10). See also Hites v. Waubensee Community College, 2016 WL 150836 (Ill.App.Ct. June 6, 2016)(holding that databases which house aggregations of data and do not merely store documents are subject to FOIA).

7 5 ILCS 140/7 and 140/7.5 describe numerous explicit exceptions to the presumption that all public records are available for public inspection. Each record is "presumed to be open to inspection or copying" and the district will have "the burden of proving by clear and convincing evidence that it is exempt," (5 ILCS 140/1.2 and 140/11(f)). A person who prevails in a court proceeding to enforce FOIA will be awarded attorney's fees; the public body may incur a civil penalty of between \$2,500 and \$5,000 for each occurrence of a willful or intentional violation of FOIA or other action in bad faith; and courts may impose additional penalties of up to \$1,000 for each day the violation continues if (1) the board fails to comply with the court's order after 30 days, (2) the court's order is not on appeal or stayed, and (3) the court does not grant the public body additional time to comply with the court's order to disclose public records (5 ILCS 140/11(i) and (j)). amended by P.A. 99-586, eff. 1-1-17. School officials should seek the board attorney's advice concerning the denial of a record request.

Two State laws limit the disclosure of employee personnel evaluations:

1. The Personnel Record Review Act prohibits the disclosure of performance evaluations (820 ILCS 40/11).
2. The School Code prohibits the disclosure of public school teacher, principal, and superintendent performance evaluations except as otherwise provided in the certified employee evaluation laws (105 ILCS 5/24A-7.1).

8 5 ILCS 140/3(g).

9 5 ILCS 140/3(d). Reasons for extensions are addressed at 5 ILCS 140/3(e). Public bodies must respond to FOIA requests (PAOs 16-05, 16-04, 16-04, and 16-03, and 16-01). Public bodies must also conduct a reasonable search for public records responsive to a FOIA request, which includes searching public employees' communications on personal devices or accounts for records pertaining to the transaction of public business (PAO 16-06).

10 5 ILCS 140/3(e).

extension, and (2) either inform the person of the date on which a response will be made, or agree with the person in writing on a compliance period. ¹¹

The time periods are extended for responding to requests for records made for a *commercial purpose*, requests by a *recurrent requester*, or *voluminous requests*, as those terms are defined in Section 2 of FOIA. The time periods for responding to those requests are governed by Sections 3.1, 3.2, and 3.6 of FOIA. ¹²

When responding to a request for a record containing both exempt and non-exempt material, the Freedom of Information Officer shall redact exempt material from the record before complying with the request. ¹³

Fees ¹⁴

Persons making a request for copies of public records must pay any and all applicable fees. The Freedom of Information Officer shall establish a fee schedule that complies with FOIA and this policy and is subject to the Board's review. The fee schedule shall include copying fees and all other fees to the maximum extent they are permitted by FOIA, including without limitation, search and review fees for responding to a request for a *commercial purpose* and fees, costs, and personnel hours in connection with responding to a *voluminous request*.

Copying fees, except when fixed by statute, shall be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. In no case shall the copying fees exceed the maximum fees permitted by FOIA. If the District's actual copying costs are equal to or greater than the maximum fees permitted by FOIA, the Freedom of Information Officer is authorized to use FOIA's maximum fees as the District's fees. No copying fees shall be charged for: (1) the first 50 pages of black and white, letter or legal sized copies, or (2) electronic copies other than the actual cost of the recording medium, except if the response is to a *voluminous request*, as defined in FOIA.

A fee reduction is available if the request qualifies under Section 6 of FOIA. The Freedom of Information Officer shall set the amount of the reduction taking into consideration the amount of material requested and the cost of copying it. ¹⁵

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

¹¹ 5 ILCS 140/3(f). A board may replace the default paragraph with the following alternative: "The Freedom of Information Officer shall respond to record requests according to the time periods described in Section 3 of FOIA."

¹² The timelines are extended to respond to a: (1) *recurrent requester* (defined in Sec. 2(g)); (2) request with a *commercial purpose* (defined in Sec. 2(c-10)); and (3) *voluminous request* (defined in Sec. 2(h)). To use the extended timelines, a district must follow the requirements in Sec. 3.2~~4~~ for responding to a *recurrent requester*; Sec. 3.1~~2~~ for responding to a request with a *commercial purpose*; and Sec. 3.6 (added by P.A. 98-1129) for responding to a *voluminous request*. See the administrative procedure, 2:250-API, *Access to and Copying of District Public Records*, for additional information.

¹³ 5 ILCS 140/7. Redacting exempt portions is permitted, but not required, except that contractors' employees' addresses, telephone numbers, and social security numbers must be redacted before disclosure (5 ILCS 140/2.10). Reviewing past responses to FOIA requests will promote uniform treatment of requests for similar records.

¹⁴ 5 ILCS 140/6, amended by P.A. 98-1129. The first paragraph's intent is to be efficient and avoid paraphrasing a complex law. The procedure 2:250-API, *Access to and Copying of District Public Records*, contains a fee schedule identifying the maximum fees permitted.

Section 6(a) states: "If a request is *not* a request for a *commercial purpose* or a *voluminous request*, a public body *may not* charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records." (Emphasis added.) This implies that a search and review fee may be charged when responding to a request for a *commercial purpose* or a *voluminous request*. However, Sec. 6(b) states that the search and review fee described in Sec. 6(f) may be charged *only* to someone making a *commercial request*. Sec. 6(f) contains the maximum amounts that may be charged for search and review but does not explain when they may be charged. The FOIA Officer will need to consult the board attorney concerning fees.

Provision of Copies and Access to Records

A public record that is the subject of an approved access request will be available for inspection or copying at the District's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer. 16

Many public records are immediately available from the District's website including, but not limited to, the process for requesting a public record.¹⁷ The Freedom of Information Officer shall direct a requester to the District's website if a requested record is available there. If the requester is unable to reasonably access the record online, he or she may resubmit the request for the record, stating his or her inability to reasonably access the record online, and the District shall make the requested record available for inspection and copying as otherwise provided in this policy. 18

Preserving Public Records

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g., a litigation hold), District auditor, or other individual authorized by the School Board or State or federal law to make such a request.¹⁹ Unless its

¹⁵ 5 ILCS 140/6(c) makes it mandatory to furnish records "without charge or at a reduced charge" if the request is in the *public interest* as defined by FOIA. If a board wants to indicate when a reduction is available by paraphrasing the statute, it may substitute the following alternative for the default paragraph:

A fee reduction is available if the person requesting the record states a specific purpose for the request and indicates that a fee reduction is in the public interest by having as its principal purpose the preservation of the general public's health, safety, welfare, or legal rights and is not for the principal purpose of personal or commercial benefit. The Freedom of Information Officer shall set the amount of the reduction, taking into consideration the amount of material requested and the cost of copying it.

¹⁶ Public bodies may adopt rules for the times and places where records will be made available (5 ILCS 140/3(h)). A board may amend this sentence to reflect other times and/or places where records will be made available.

¹⁷ 5 ILCS 140/4. A district may reduce FOIA requests by posting records on its website. Many records are required to be web-posted, see 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. If the district does not have a website, change this paragraph sentence as follows: "Some public records are available for immediate access including a description of the process for requesting a public record, and a list of all types or categories of records under its control."

For a list of required web-postings, see exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Using the district's website is also a convenient way to comply with FOIA's requirement to identify documents that are *immediately* available (5 ILCS 140/3.5(a)). Although not required to be web-posted, a list of all types or categories of records under its control must be prepared and made available (5 ILCS 140/5). See 2:250-API, *Access to and Copying of District Public Records*.

¹⁸ 5 ILCS 140/8.5, added by P.A. 98-1129.

¹⁹ The Local Records Act, 50 ILCS 205/3, requires the preservation of records described in items #1-3. The preservation of records described in item #3 is also required by the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, and the Ill. School Student Records Act, 105 ILCS 10/, among other laws. An example of a record described in item #4 is a record subject to a *litigation hold* or a document preservation requirement pursuant to Federal Rules of Civil Procedure, Rules 16 and 26.

Categorizing email messages is complicated because two laws apply and the rules differ when a board member is a party. See sample policy 2:140, *Communications To and From the Board*, for a discussion of email between or among board members. When employees or agents are using email for school purposes, the email messages may be *public records*, but will not necessarily be subject to disclosure depending on the topic discussed. FOIA's list of exemptions from disclosure determines whether these emails are subject to disclosure. For exemptions, see 5 ILCS 140/7 and 140/7.5.

Not all email messages between or among employees must be preserved, even if they are *public records* for purposes of FOIA. The definition of *public record* in the Local Records Act, 50 ILCS 205/3, is narrower than its definition in FOIA. Thus, staff email, like all district records, must be retained only when it contains material described in #1-4. While this is a slippery slope without definitive parameters, employee email that is conversational or personal, or contains brainstorming may generally be deleted.

retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission. 20

LEGAL REF.: 5 ILCS 140/, Illinois Freedom of Information Act.
105 ILCS 5/10-16 and 5/24A-7.1.
820 ILCS 40/11.
820 ILCS 130/5.

CROSS REF.: 2:140 (Communications To and From the Board), 5:150 (Personnel Records),
7:340 (Student Records)

The Prevailing Wage Act (820 ILCS 130/5, ~~amended by P.A.s 98-328 and 98-482~~) requires contractors, while participating in public works, to keep certified payroll records of all laborers, mechanics, and other workers employed by them on the project and to submit this record no later than the 15th of the month to the public body. The public body in charge of the project must keep the records submitted before 1-1-14 for a period of not less than ~~3~~ three years. Records submitted on or after 1-1-14 must be kept for a period of ~~5~~ five years. Records may be retained in paper or electronic format. These records must be made available in accordance with FOIA except that contractors' employees' addresses, telephone numbers, and social security numbers must be redacted before disclosure (5 ILCS 140/2.10).

~~20~~ 50 ILCS 205/. Preservation and destruction of documents is covered in 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. See also the Ill. Secretary of State's website for information on preserving and destroying records, ~~www.cyberdriveillinois.com/departments/archives/records_management/~~ www.cyberdriveillinois.com/departments/archives/records_management/reeman.html.

2:250

Page 5 of 5

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Comment [KAS1]: Policy is unchanged. Footnotes reflect P.A. 99-846. It allows certain qualifying districts to appoint a chief executive officer to serve as its superintendent.

General School Administration

Superintendent 1

Duties and Authority

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools in accordance with School Board policies and directives, and State and federal law. District management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law.² The Superintendent is authorized to develop administrative procedures and take other action as needed to implement Board policy and otherwise fulfill his or her responsibilities. The Superintendent may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the Superintendent by Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.³

Qualifications

The Superintendent must be of good character and of unquestionable morals and integrity. The Superintendent shall have the experience and the skills necessary to work effectively with the Board, District employees, students, and the community. The Superintendent must have and maintain a Professional Educator License with a superintendent endorsement issued by the Illinois State Educator Preparation and Licensure Board.⁴

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

¹ State law controls this policy's content. Unless the district has only one school with fewer than four teachers, the board must employ a superintendent or a chief executive officer as allowed under specific circumstances (105 ILCS 5/10-21.4, amended by P.A. 99-846). This statute assigns some specific duties to the superintendent including to: (1) make recommendations to the board concerning the budget, building plans, the locations of sites, the selection, retention, and dismissal of teachers and all other employees, the selection of textbooks, instructional material, and courses of study, (2) report to the board, ISBE, and chief administrative official any employee named in an abused child report, and (3) keep or cause to be kept the records and accounts as directed and required by the board, aid in making reports required by the board, and perform such other duties as the board may delegate to him/her. 105 ILCS 5/10-16.7 requires boards to direct, through policy, the superintendent, in his or her charge of the district's administration.

ISBE is required, subject to an annual appropriation by the General Assembly, to establish a new superintendent mentoring program. With limited exceptions, any individual serving as a first-time superintendent in Illinois must participate in the mentoring program for two school years (105 ILCS 5/2-3.53b). The ISBE-selected provider will assign a mentor to a new superintendent based on similarity of grade level or type of district, learning needs, and geographical proximity. The mentor must not be required to evaluate the new superintendent on the basis of the mentoring relationship.

² See 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, for an annotated list of documents and reports that must be posted on the district's website, if the district has a website. While not comprehensive, see the IASB's *Annual School Calendar* for the required reports that do not need web-posting, available on the IASB website at www.iasb.com/pdf/schoolcal.pdf-iasb-eom-law/.

³ This paragraph strengthens the policy's connection to the IASB's *Foundational Principles of Effective Governance*. It allows the superintendent broad delegation authority even when a policy fails to specifically provide for delegation.

⁴ 105 ILCS 5/21B-20 and 5/21B-25 govern Professional Educator Licenses and superintendent endorsements. See also 23 Ill. Admin. Code §§25.355 (endorsements on or after 9-1-162019 [rule only states the year]), 25.360 (through 8-31-2019), 29.100 (Ill. Professional School Leader Standards), and 29.130 (Superintendent Standards).

Evaluation

The Board will evaluate, at least annually, the Superintendent's performance and effectiveness, using standards and objectives developed by the Superintendent and Board that are consistent with the Board's policies and the Superintendent's contract.⁵ A specific time should be designated for a formal evaluation session with all Board members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

The Superintendent shall annually present evidence of professional growth through attendance at educational conferences, in-service training, or similar continuing education pursuits.⁶

Compensation and Benefits⁷

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

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-20.47, 5/10-21.4, 5/10-23.8, 5/21B-20, 5/21B-25, 5/24-11, and 5/24A-3.
23 Ill.Admin.Code §§1.310, 1.705, and 29.130.

CROSS REF: 2:20 (Powers and Duties of the School Board; Indemnification), 2:130 (Board-Superintendent Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives)

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

⁵ 105 ILCS 5/10-16.7 requires a board to evaluate the superintendent. See [The Superintendent Evaluation Process](#) on the IASB website. While greater detail may be added to this paragraph (e.g., a timeline, self-evaluation provision, and discussion requirements), a board must be sure that the policy and the superintendent's contract are consistent.

⁶ The reporting requirements in this paragraph are optional, but school boards must "require evaluators to participate in an in-service training on the evaluation of licensed personnel provided or approved by [ISBE] prior to undertaking any evaluation and at least once during each license renewal cycle," (105 ILCS 5/24A-3).

⁷ According to 105 ILCS 5/10-23.8, a superintendent must be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators; see [Superintendent Performance Contracts](#), published by IASB. Residency requirements, if desired, should be included in a superintendent's employment contract.

The employment contract should be *in writing* even though the School Code does not require it to be written. Contact the board attorney for assistance. An administrator who is not working under a written contract is presumed to have a contract of one year's duration. [Schaumburg Community Consolidated School Dist. v. TRS](#), 985 N.E.2d 305 (Ill.App.4, 2013)(interpreting 105 ILCS 5/10-23.8a). The Ill. Statute of Frauds may make it impossible to execute an *oral* multi-year administrator contract or to *orally* extend a multi-year written contract (740 ILCS 80/1).

The Open Meetings Act requires all Ill. Municipal Retirement Fund (IMRF) employers, which includes school boards, to: (1) within 6 business days after approving a budget, web-post each employee's total compensation package if it exceeds \$75,000 per year; and (2) at least ~~6~~-six days before approval, web-post an employee's total compensation package if it is \$150,000 or more (5 ILCS 120/7.3). Conflicting opinions concern whether school districts must comply with these posting requirements for their employees who do not participate in IMRF. Contact the board attorney for advice.

Annually by Oct. 1, each school board must report to ISBE the base salary and benefits of the superintendent, administrators, and teachers it employs (105 ILCS 5/10-20.47). Before this annual reporting to ISBE, the information must be presented at a regular school board meeting and then posted on the district's website, if any.

3:40

Page 2 of 2

General School Administration

Administrative Personnel Other Than the Superintendent 1

Duties and Authority

The School Board establishes District administrative and supervisory positions in accordance with the District's needs and State law. This policy applies to all administrators other than the Superintendent, including without limitation, Building Principals. The general duties and authority of each administrative or supervisory position are approved by the Board, upon the Superintendent's recommendation, and contained in the respective position's job description. 2 In the event of a conflict, State law and/or the administrator's employment agreement shall control.

Qualifications

All administrative personnel shall be appropriately licensed and shall meet all applicable requirements contained in State law and Illinois State Board of Education rules. 3

Evaluation

The Superintendent or designee shall evaluate all administrative personnel and make employment and salary recommendations to the Board. 4

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. 105 ILCS 5/10-23.8a requires each principal, assistant principal, and other school administrator to be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators.

2 Job descriptions are advisable, but optional. See policy 5:30, *Hiring Process and Criteria*, for a discussion of job descriptions. An ISBE rule (23 Ill.Admin.Code §1.310) allows *divided service*, meaning that a superintendent or principal may be employed by two school districts or serve in ~~two~~ professional capacities provided that full-time equivalency results in a maximum of one full-time position. In districts with an enrollment of 100 or fewer, an individual may serve as superintendent/principal and teach up to ~~one-half~~ day.

3 105 ILCS 5/21B-20 and 5/21B-25 govern Professional Educator Licenses and administrative, principal, and chief school business official endorsements. The requirements for supervisory or administrative staff are in 23 Ill.Admin.Code §1.705; the requirements for endorsements are in 23 Ill.Admin.Code Part 25, Subpart E. Standards for Administrative Endorsements are in 23 Ill.Admin.Code Part 29.

The following option may be added at the end of this paragraph:

Administrative personnel must reside in the District within a specified period as provided in their initial employment agreement.

State law (105 ILCS 5/24-4.1) prohibiting residency requirements for teachers does not apply to non-instructional personnel, e.g., assistant principals. *Owen v. Kankakee School Dist.*, 632 N.E.2d 1073 (Ill.App.3, 1994). A board may impose residency requirements on a principal or assistant principal only if the individual's initial contract with the district made residency an express condition of employment or continued employment as a principal (105 ILCS 5/10-21.4a). Residency within a district may not be considered in determining a principal's compensation, assignment, or transfer (*Id.*).

4 All licensed school district employees must be evaluated (105 ILCS 5/24A-1, 23 Ill.Admin.Code §1.320). Each district must implement a performance evaluation plan for its principals and assistant principals (105 ILCS 5/24A-15, 23 Ill.Admin.Code §50.300). The statutory deadline for evaluating principals and assistant principals depends on whether the individual's employment contract is for one year or multiple years: (1) the evaluation of individuals on a single year contract must take place annually by March 1, and (2) the evaluation of individuals on a multi-year contract must take place by March 1 of the contract's final year (105 ILCS 5/24A-15). Individual contracts may require an earlier deadline. 105 ILCS 5/24A-3 requires that an individual who conducts an evaluation of a teacher, principal, or assistant principal, (1) be prequalified before undertaking any evaluation, and (2) participate in a regularly scheduled retraining program.

Administrators shall annually present evidence to the Superintendent of professional growth through attendance at educational conferences, additional schooling, in-service training, and Illinois Administrators' Academy courses, or through other means as approved by the Superintendent. ⁵

Administrative Work Year

The work year for administrators shall be the same as the District's fiscal year, July 1 through June 30, unless otherwise stated in the employment agreement. In addition to legal holidays, administrators shall have vacation periods as approved by the Superintendent. All administrators shall be available for work when their services are necessary. ⁶

Compensation and Benefits

The Board and each administrator shall enter into an employment agreement that complies with Board policy and State law. ⁷ The terms of an individual employment contract, when in conflict with this policy, will control.

The Board will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board no later than the March Board meeting or at such earlier time that will allow the Board to consider contract renewal and nonrenewal issues. ⁸

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

⁵ The professional growth reporting requirements in this paragraph are optional. However, professional development activities are required for license renewal. 105 ILCS 5/21B-45, amended by P.A. 99-591, eff. 1-1-17, contains the license renewal process, along with the professional development hours and carry over of these hours.

A school board must require the administrators who evaluate employees to complete training on the evaluation of licensed personnel that is provided or approved by ISBE (105 ILCS 5/24A-3 and 5/24A-20(a)(4)). Any prequalification process or retraining program developed and used by a school district must, at a minimum, meet the requirements of 23 Ill.Admin.Code Part 50, Subpart E. Administrative personnel must participate in this training (1) before they evaluate, and (2) at least once during each certificate renewal cycle (id.).

⁶ Legal holidays are provided by 105 ILCS 5/24-2.

⁷ According to 105 ILCS 5/10-23.8a, a principal, assistant principal, and any other school administrator must be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators.

The employment contract should be *in writing* even though the School Code does not require it to be written. Contact the board attorney for assistance. An administrator who is not working under a written contract is presumed to have a contract of one year's duration. Schaumburg Community Consolidated School Dist. v. TRS, 985 N.E.2d 305 (Ill.App.4, 2013)(interpreting 105 ILCS 5/10-23.8a). The Ill. Statute of Frauds may make it impossible to execute an *oral* multi-year administrator contract or to *orally* extend a multi-year written contract (740 ILCS 80/1).

The Open Meetings Act requires all Ill. Municipal Retirement Fund (IMRF) employers, which includes school boards, to: (1) within ~~6~~^{six} business days after approving a budget, web-post each employee's total compensation package if it exceeds \$75,000 per year; and (2) at least ~~6~~^{six} days before approval, web-post an employee's total compensation package if it is \$150,000 or more (5 ILCS 120/7.3). Conflicting opinions concern whether school districts must comply with these posting requirements for their employees who do not participate in IMRF. Contact the board attorney for advice.

Annually by Oct. 1, each school board must report to ISBE the base salary and benefits of the superintendent, administrators, and teachers it employs (105 ILCS 5/10-20.47). Before this annual reporting to ISBE, the information must be presented at a regular school board meeting and then posted on the district's website, if any.

⁸ State law does not address when the board should consider salary issues. The March deadline was chosen because the statutory notice deadline for reclassification is April 1 of the year in which a principal or assistant principal's contract expires unless the contract provides for an earlier deadline (105 ILCS 5/10-23.8b). Alternatively, the policy could require that recommendations be presented "in a timely manner."

Unless stated otherwise in individual employment contracts, all benefits and leaves of absence available to teaching personnel are available to administrative personnel. ⁹

LEGAL REF: 105 ILCS 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, 5/21B, and 5/24A.
23 Ill.Admin.Code §§1.310, 1.705, and 50.300; and Parts 25 and 29.

CROSS REF: 3:60 (Administrative Responsibility of the Building Principal), 5:30 (Hiring Process and Criteria), 5:250 (Leaves of Absence)

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

⁹ State law does not require that administrative and teaching personnel receive identical benefits and leaves of absence, but it does set the minimum in days and type for all certificated personnel.

3:50

Page 3 of 3

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Comment [KAS1]: The policy is unchanged. Footnotes are updated to reflect P.A. 99-713. It extended the time period during which a district may transfer money from specified funds for any purpose to 7-1-19.

Operational Services

Fiscal and Business Management¹

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 Illinois State Board of Education's "School District Budget Form."⁷ To the extent possible, the tentative budget shall be balanced as defined by the State Board of Education guidelines. The Superintendent shall complete a tentative deficit reduction plan if one is required by the State Board of Education guidelines.⁸

Preliminary Adoption Procedures

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

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

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 levys, 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 exhibits 6:235-API, E1, *Student Authorization for Access to the District's Electronic Networks*, and 6:235-API, E2, *Authorization for Access to the District's Electronic Networks*. Use of electronic networks in the curriculum is covered in 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.

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. The budget instructions from ISBE detail when a deficit reduction plan must be completed.

⁸ State law requires the budget to be balanced and, if not, a three-year deficit reduction plan must be developed (105 ILCS 5/17-1).

⁹ At least one public hearing must be held before final action 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).

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, and the public shall be invited to comment, question, or advise the Board.¹²

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.¹³ To the extent possible, the budget shall be balanced as defined by the State Board of Education; if not balanced, the Board will adopt a deficit reduction plan to balance the District's budget within ~~3~~^{three} years according to State Board of Education requirements.¹⁴

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.¹⁵

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.¹⁶
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.¹⁷
3. 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; 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.
4. Submit the annual budget, a deficit reduction plan if one is required by State Board of Education guidelines, and other financial information to the State Board of Education according to its requirements.¹⁸

Any amendments to the budget or Certificate of Tax Levy shall be made as provided in the School Code and Truth in Taxation Act.¹⁹

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

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 ~~5~~^{five} public places (105 ILCS 5/17-1).

¹² State law does not address what transpires during the budget hearing.

¹³ Required by 105 ILCS 5/17-1 and 5/17-3.2.

¹⁴ Required by 105 ILCS 5/17-1. See fn 8.

¹⁵ Required by 105 ILCS 5/10-7.

¹⁶ Required by 105 ILCS 5/17-1.2, *only if* the district has a website. Do not add this sentence unless the district has a website.

¹⁷ 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.

¹⁸ Required by 105 ILCS 5/17-1.

¹⁹ 105 ILCS 5/17-11 and 35 ILCS 200/18-55.

Budget Amendments

The Board may amend the budget by the same procedure as provided for in the original adoption.²⁰

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 loans²¹, interfund transfers²², transfers within funds²³, and transfers from the working cash fund or abatements of it, if one exists.²⁴

LEGAL REF.: 35 ILCS 200/18-55 et seq.
105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-2A, 5/17-3.2, 5/17-11, 5/20-5, 5/20-8, and 5/20-10.
23 Ill.Admin.Code Part 100.

CROSS REF.: 4:40 (Incurring Debt), 6:235 (Access to Electronic Networks)

ADMIN. PROC.: 6:235-API, E1 (Exhibit - Student Authorization for Access to the District's Electronic Networks), 6:235-API, E2 (Exhibit - Staff Authorization for Access to the District's Electronic Network Access)

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

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

²¹ 105 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).

²² 105 ILCS 5/17-2A contains the requirements for a permanent transfer. P.A. ~~98-13499-713~~ extended the time period during which a district may transfer money from specified funds for any purpose to July 1, 2016⁹.

²³ Transfers between the various items in any fund may not exceed in the aggregate ~~40-ten~~ percent of the total of such fund as set forth in the budget. If the aggregate exceeds ~~40-ten~~ percent, the board must amend the budget (105 ILCS 5/17-1).

²⁴ 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. Ventures v. Novak, 902 N.E.2d 744 (Ill.App. 2nd Dist., 2009); G.I.S. Venture v. Novak, 2014 IL App. (2d) 130244 (9/30/2014)). Abolishments (deplete all funds) of the working cash fund must still be transferred to the education fund only.

4:10

Page 3 of 3

Comment [KAS1]: The policy is unchanged. Cross References and a footnote is added to discuss the logistics of the Local Government Travel Expense Control Act (50 ILCS 150/, added by P.A. 99-604, eff. 1-1-17).

Operational Services

Use of Credit and Procurement Cards ¹

The Superintendent and employees designated by the Superintendent are authorized to use District credit and procurement cards to simplify the acquisition, receipt, and payment of purchases and travel expenses incurred on the District's behalf. ² Credit and procurement cards shall only be used for those expenses that are for the District's benefit and serve a valid and proper public purpose; they shall not be used for personal purchases. Cardholders are responsible for exercising due care and judgment and for acting in the District's best interests.

The Superintendent or designee shall manage the use of District credit and procurement cards by employees. It is the Board's responsibility, through the audit and approval process, to determine whether District credit and procurement card use by the Superintendent is appropriate.

In addition to the other limitations contained in this and other Board policies, District credit and procurement cards are governed by the following restrictions: ³

1. Credit and/or procurement cards may only be used to pay certain job-related expenses or to make purchases on behalf of the Board or District or any student activity fund, or for purposes that would otherwise be addressed through a conventional revolving fund. ⁴
2. The Superintendent or designee shall instruct the issuing bank to block the cards' use at unapproved merchants.

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

¹ If district employees or board members are issued credit and/or procurement cards, an ISBE rule requires this subject matter to be covered in policy and specifies its content (23 Ill.Admin.Code §100.70(d)). Add the following optional new paragraph if the district issues credit cards to board members:

The District may from time-to-time issue and/or authorize Board members to use District credit cards to simplify the payment of actual and necessary expenses as authorized in Board policy 2:125, *Board Member Compensation: Expenses*. The Board will determine whether a Board member's use of a District credit card is appropriate through the expense approval process and the annual audit. All other components of this policy apply to a Board Member's use of a District credit card.

See fn 19 in policy 2:125, Board Member Compensation: Expenses and ensure both policies are consistent in their treatment of this issue.

² The Local Government Travel Expense Control Act (50 ILCS 150/, added by P.A. 99-604, eff. 1-1-17) requires districts to regulate the reimbursement of all travel, meal and lodging expenses of board members and employees (50 ILCS 150/10). Consult the board attorney about how the Act affects the use of credit and procurement cards.

³ The policy's restrictions, numbered 1-10, correspond to the items that ISBE requires to be covered. Each item may be customized as long as the following items are covered as per 23 Ill.Admin.Code §100.70(d):

1. Identifies the allowable types of purchases;
2. Provides for the issuing bank to block the cards' use at unapproved merchants;
3. Limits the amount a cardholder can charge in a single purchase or within a given month;
4. Provides specific guidelines on purchases via telephone, fax, and the Internet;
5. Indicates the consequences for unauthorized purchases;
6. Requires cardholders to sign a statement affirming that they are familiar with the board's credit card policy;
7. Requires review and approval of purchases by someone other than the cardholder or user;
8. Requires submission of original receipts to document purchases; and
9. Forbids the use of a card to make purchases in a manner contrary to the requirements of Section 10-20.21 of the School Code [105 ILCS 5/10-20.21].
10. Indicates how financial or material rewards or rebates are to be accounted for and treated.

⁴ This limitation is from the introductory sentence in 23 Ill.Admin.Code §100.70(d).

3. Each cardholder, other than the Superintendent, may charge no more than \$500 in a single purchase and no more than \$1000 within a given month without prior authorization from the Superintendent. ⁵
4. The Superintendent or designee must approve the use of a District credit or procurement card whenever such use is by telephone, fax, and the Internet. Permission shall be withheld when the use violates any Board policy, is from a vendor whose reputation has not been verified, or would be more expensive than if another available payment method were used.
5. The consequences for unauthorized purchases include, but are not limited to, reimbursing the District for the purchase amount, loss of cardholding privileges, and, if made by an employee, discipline up to and including discharge.
6. All cardholders must sign a statement affirming that they are familiar with this policy. ⁶
7. The Superintendent shall implement a process whereby all purchases using a District credit or procurement card are reviewed and approved by someone other than the cardholder or someone under the cardholder's supervision.
8. Cardholders must submit the original, itemized receipt to document all purchases.
9. No individual may use a District credit or procurement card to make purchases in a manner contrary to State law, including, but not limited to, the bidding and other purchasing requirements in 105 ILCS 5/10-20.21, or any Board policy.
10. The Superintendent or designee shall account for any financial or material reward or rebate offered by the company or institution issuing the District credit or procurement card and shall ensure that it is used for the District's benefit.

LEGAL REF.: 105 ILCS 5/10-20.21.
23 Ill.Admin.Code §100.70(d).

CROSS REF.: 4:50 (Payment Procedures), 4:60 (Purchases and Contracts), 4:80 (Accounting and Audits), 4:90 (Activity Funds), 5:60 (Expenses)

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

⁵ The dollar caps are at the local board's discretion. An alternative follows: "The Superintendent shall limit the amount each cardholder may charge in a single purchase or within a given month and inform the issuing bank of these limitations."

⁶ See exhibit 4:55-E, *Cardholder's Statement Affirming Familiarity with Requirements for Using District Credit and/or Procurement Cards*.

4:55

Page 2 of 2

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DRAFT UPDATE

Operational Services

Purchases and Contracts

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 Board of Education policies.

Standards for Purchasing and Contracting

All purchases and contracts shall be entered into in accordance with 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. 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.

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

1. Supplies, materials, or work involving an expenditure in excess of \$25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 *et seq.*
4. Third party non-instructional services must comply with 105 ILCS 5/10-22.34c.
5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21. The Superintendent or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Superintendent or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget.

6. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10).

6.7. The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Board policy 4:70, *Resource Conservation*.

7.8. Each contractor with the District is bound by each of the following:

- a. In accordance with 105 ILCS 5/10-21.9(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS 5/10-21.9(c) and 5/21B-80(c) to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibits any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (23) require each of its employees who will have direct, daily contact with

Comment [APowell1]:
105 ILCS 5/10-20.21(b-10),
added by P.A. 99-552
Issue 93, October 2016

Comment [APowell2]:
Updated in response to 105 ILCS 5/21B-80, amended by P.A. 99-667.
Issue 93, October 2016

DRAFT UPDATE

student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her.

- b. In accordance with 105 ILCS 5/24-5: (1) concerning each employee who begins providing services in the District after June 16, 2014, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease if the employee will have direct, daily contact with one or more student(s); and (2) require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Illinois Department of Public Health rules or order of a local health official.

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

LEGAL REF.: 105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-21.9, 5/10-22.34c, 5/19b-1 et seq., and 5/24-5.820 ILCS 130/.

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; ~~Criminal Background Check and/or Screening~~; Notifications)

ADOPTED: ~~December 10, 2014~~

Comment [APowell3]:

See 5:30-AP2, *Investigations*, for a list of offenses that 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.

Issue 93, October 2016

Comment [KAS1]: Policy is unchanged. Footnotes are updated in response to P.A. 99-794, eff. 1-1-17 (allowing property constructed or renovated by students as part of a curricular program to be sold through the services of a licensed real estate broker subject to certain requirements).

Operational Services

Accounting and Audits 1

The School District's accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*, as adopted by the Illinois State Board of Education, State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board. The Superintendent, in addition to other assigned financial responsibilities, shall report monthly on the District's financial performance, both income and expense, in relation to the financial plan represented in the budget.

Annual Audit 2

At the close of each fiscal year, the Superintendent shall arrange an audit of the District funds, accounts, statements, and other financial matters. The audit shall be performed by an independent certified public accountant designated by the Board and be conducted in conformance with prescribed standards and legal requirements. A complete and detailed written audit report shall be provided to each Board member and to the Superintendent. The Superintendent shall annually, on or before October 15, submit an original and one copy of the audit to the Regional Superintendent of Schools.

Annual Financial Report 3

The Superintendent or designee shall annually prepare and submit the Annual Financial Report on a timely basis using the form adopted by the Illinois State Board of Education. The Superintendent shall review and discuss the Annual Financial Report with the Board before it is submitted.

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. A board policy or resolution is required concerning revolving funds and petty cash (23 Ill.Admin.Code §100.70). This policy is intended to facilitate the board's fiscal oversight role. The last sentence of the first paragraph should be modified to align with local conditions. The *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing* replaced 23 Ill.Admin.Code; Part 110 *Program Accounting Manual* and 23 Ill.Admin Code Part 125 *Student Activity Funds and Convenience Accounts*. The *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing* is at 23 Ill.Admin.Code Part 100.

² Audit requirements are found in 105 ILCS 5/3-7 and 5/3-15.1, and 23 Ill.Admin.Code §100.110. The federal Single Audit Act adds audit requirements for federal programs (31 U.S.C. §7501 *et seq.*).

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center." Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." P.A. 96-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

The following optional sentence establishes an audit committee: "The Board will annually establish an audit committee to help the Board select an external auditor, confer with the auditor regarding the audit's scope, and oversee the audit process." **Note:** ~~all~~ All board committees are subject to the Open Meetings Act.

The following optional sentence establishes a competitive process for selecting the external auditor; it prevents a long-term relationship with an auditor and reduces the possibility of audits being too routine or friendly: "The Board will annually advertise a request for proposals to perform the external audit." Substitute "periodically" for "annually" if desired.

³ Requirements for the annual financial report are found in 105 ILCS 5/2-3.27 and 5/3-15.1; 23 Ill.Admin.Code §100.100. The last sentence of this section should be modified to align with local conditions.

Inventories 4

The Superintendent or designee is responsible for establishing and maintaining accurate inventory records. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost.

Disposition of District Property 5

The Superintendent or designee shall notify the Board, as necessary, of the following so that the Board may consider its disposition: (1) District personal property (property other than buildings and land) that is no longer needed for school purposes, and (2) school site, building, or other real estate that is unnecessary, unsuitable, or inconvenient. Notwithstanding the above, the Superintendent or designee may unilaterally dispose of personal property of a diminutive value.

Taxable Fringe Benefits 6

The Superintendent or designee shall: (1) require that all use of District property or equipment by employees is for the District's convenience and best interests unless it is a Board-approved fringe benefit, and (2) ensure compliance with the Internal Revenue Service regulations regarding when to report an employee's personal use of District property or equipment as taxable compensation.

Controls for Revolving Funds and Petty Cash 7

Revolving funds and the petty cash system are established in Board policy 4:50, *Payment Procedures*. The Superintendent shall: (1) designate a custodian for each revolving fund and petty cash fund, (2) obtain a bond for each fund custodian, and (3) maintain the funds in compliance with this policy, State law, and Illinois State Board of Education rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. Bank accounts for revolving funds are limited to a maximum balance of \$500.00. All expenditures from these bank accounts must be directly related to the purpose for which the account was established and supported with documentation, including signed invoices or receipts. All deposits into these bank accounts must be accompanied with a clear description of their intended purpose. The Superintendent or designee shall include checks written to reimburse revolving funds on the Board's monthly listing of bills indicating the recipient and including an explanation.

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

4 The Illinois Program Accounting Manual (IPAM) was repealed and replaced with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*. While these new rules contain much of the IPAM information, the information about inventories was not included. That information is still useful and may be found at www.isbe.state.il.us/sfms/pdf/ipam.pdf. The last sentence of this section should be modified to align with local conditions.

5 The requirements in this section are specified in 105 ILCS 5/5-22, amended by P.A. 99-794, eff. 1-1-17 ([allowing property constructed or renovated by students as part of a curricular program to be sold through the services of a licensed real estate broker subject to certain requirements](#)) and 5/10-22.8. A board that desires to act on the disposition of property having any value should use the following alternative to this section's ~~the~~ last sentence: "Notwithstanding the above, the Superintendent or designee may unilaterally dispose of worthless personal property."

6 The intent of this optional section is twofold: (1) to control personal use of district property and equipment, and (2) to ensure compliance with IRS rules. As to the first point, allowing personal use of district property or equipment is arguably prohibited by the Ill. Constitution, Art. VIII, Sec 1 which states: "Public funds, property or credit shall be used only for public purposes." As to the second point, any fringe benefit an employer provides is taxable and must be included in the recipient's pay unless the law specifically excludes it. See Publication 15-B (2008), *Employer's Tax Guide to Fringe Benefits*, www.irs.gov/pub/irs-pdf/p15b.pdf.

7 105 ILCS 5/10-20.19; 23 Ill.Admin.Code §100.70. This paragraph's contents are mandatory, except for the \$500 cap on the maximum balance of revolving funds. The cap amount may be changed or the following alternative used: "Each revolving fund shall be maintained in a bank that has been approved by the Board and established in an amount approved by the Superintendent consistent with the annual budget."

Control Requirements for Checks ⁸

The Board must approve all bank accounts opened or established in the District's or a District school's name or with the District's Federal Employer Identification Number. All checks issued by the School District must be signed by either the Treasurer or Board President, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

Internal Controls ⁹

The Superintendent is primarily responsible for establishing and implementing a system of internal controls for safeguarding the District's financial condition; the Board, however, will oversee these safeguards. The control objectives are to ensure efficient business and financial practices, reliable financial reporting, and compliance with State law and Board policies, and to prevent losses from fraud, employee error, misrepresentation by third parties, or imprudent employee action.

The Superintendent or designee shall annually audit the District's financial and business operations for compliance with established internal controls and provide the results to the Board. The Board may from time-to-time engage a third party to audit internal controls in addition to the annual audit.

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

⁸ This section is largely up to the local board's discretion; additional controls may be added. The following alternative to the second sentence will mandate two signatories for checks:

Two of the following individuals, the Treasurer, Board President, and/or Board Vice-President, shall sign all checks issued by the School District, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

A board must comply with State law requirements concerning the use of facsimile or electronic signatures on checks. The Secretary of State, Index Department, maintains certified manual signatures of officers authorized to sign checks (Uniform Facsimile Signature of Public Officials Act, 30 ILCS 320/). Electronic records and signatures are governed by the Electronic Commerce Security Act (5 ILCS 175/5). Attorneys disagree about the applicability of these laws to school districts.

⁹ This section is largely up to the local board's discretion. The annual audit must include a "review and testing of the internal control structure" (23 Ill.Admin.Code §100.110). This review's limited scope means that boards should not rely on it to reveal uncontrolled financial risks. The board's responsibility is to establish policy to safeguard the district's financial condition. Indeed, the oath of office includes this promise: "I shall respect taxpayer interests by serving as a faithful protector of the school district's assets." In this sample policy, the board sets the control objectives and the superintendent is responsible for developing an internal controls system.

Boards that wish to take a larger oversight role regarding internal controls may list the numbered sentences in the IASB sample administrative procedure 4:80-AP, *Checklist for Internal Controls*, as required inclusions in the superintendent's program for internal controls. This alternative, for insertion at the end of this section's first paragraph, follows:

The District's system of internal controls shall include the following:

1. All financial transactions must be properly authorized and documented.
2. Financial records and data must be accurate and complete.
3. Accounts payable must be accurate and punctual.
4. District assets must be protected from loss or misuse.
5. Incompatible duties should be segregated, if possible.
6. Accounting records must be periodically reconciled.
7. Equipment and supplies must be safeguarded.
8. Staff members with financial or business responsibilities must be properly trained and supervised, and must perform their responsibilities with utmost care and competence.
9. Any unnecessary weaknesses or financial risks must be promptly corrected.

LEGAL REF.: 105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.4, 5/10-20.19, 5/10-22.8, and 5/17-1 et seq.
23 Ill.Admin.Code Part 100.

CROSS REF.: 4:10 (Fiscal and Business Management), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 4:90 (Activity Funds)

DRAFT UPDATE

Operational Services

Transportation

The District shall make available free transportation for any student in the District who resides: (1) at a distance of one and one-half miles or more from his or her assigned school, unless the Board of Education has certified to the Illinois State Board of Education that adequate public transportation is available, or (2) within one and one-half miles from his or her assigned school where walking to school or to a pick-up point or bus stop would constitute a serious hazard due to vehicular traffic or rail crossing, and adequate public transportation is not available. A student's parent(s)/guardian(s) may file a petition with the Board requesting transportation due to the existence of a serious safety hazard. Free transportation service and vehicle adaptation is provided for a special education student if included in the student's individualized educational program. Non-public school students shall be transported in accordance with State law. Homeless students shall be transported in accordance with Section 45/1-15 of the Education for Homeless Children Act. Foster care students shall be transported in accordance with Section 6312(c)(5)(B) of the Elementary and Secondary Education Act.

Bus schedules and routes shall be determined by the Superintendent or designee and shall be altered only with the Superintendent or designee's approval and direction. In setting the routes, the pick-up and discharge points should be as safe for students as possible.

No school employee may transport students in school or private vehicles unless authorized by the administration.

Every vehicle regularly used for the transportation of students must pass safety inspections in accordance with State law and Illinois Department of Transportation regulations. The strobe light on a school bus may be illuminated only when the bus is actually being used as a school bus and (1) is stopping or stopped for loading or discharging students on a highway outside an urban area, or (2) is bearing one or more students.

All contracts for charter bus services must contain the clause prescribed by State law regarding criminal background checks for bus drivers.

Pre-Trip and Post-Trip Vehicle Inspection

The Superintendent or designee shall develop and implement a pre-trip or cellular radio telecommunication device and post-trip inspection procedure to ensure that the school bus driver: (1) tests the two-way radio and ensures that it is functioning properly before the bus is operated, and (2) walks to the rear of the bus before leaving the bus at the end of each route, work shift, or work day, to check the bus for children or other passengers in the bus.

Comment [APowell1]:

Required if the district receives Title I funds (20 U.S.C. §6312(c)(5)(B)). Districts are required to collaborate with the State or local child welfare agency to, by December 10, 2016, develop and implement clear written procedures governing how transportation to maintain children in foster care in the school of origin (when in their best interest) will be provided, arranged, and funded for the duration of their time in foster care. Effective December 10, 2016, ESEA foster care transportation requirements also apply to students awaiting foster care placement. See footnote 8 of this policy, available at PRESS Online, for a definition of *foster care student*.

Issue 93, October 2016

DRAFT UPDATE

LEGAL REF.: Elementary and Secondary Education Act, 20 U.S.C. §6312(c)(5)(B),
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.
105 ILCS 5/10-22.22 and 5/29-1 et seq.
105 ILCS 45/1-15.
625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813, 5/12-813.1, 5/12-815, 5/12-816,
5/12-821, and 5/13-109.
23 Ill.Admin.Code §§1.510 and 226.750; Part 120.
92 Ill.Admin.Code §440-3.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 5:120 (Ethics and Conduct), 5:280
(Educational Support Personnel - Duties and Qualifications), 6:140 (Education of
Homeless Children), 6:170 (Title I Programs), 7:220 (Bus Conduct)

ADOPTED: ~~April 8, 2015~~

Operational Services

Free and Reduced-Price Food Services 1

Notice

The Superintendent shall be responsible for implementing the District's free and reduced-price food services policy and all applicable programs. 2 3

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. A policy on eligibility for free and reduced-price meals is required by 7 C.F.R. §245.10 for districts participating in the National School Lunch or Breakfast Programs. See fn 2 below for more information about programs.

2 Every public school must have a free lunch program (School Breakfast and Lunch Program Act, 105 ILCS 125/4). Each school where at least 40% or more of the students are eligible for free or reduced-price lunches must operate a school breakfast program (Childhood Hunger Relief Act, 105 ILCS 126/15). A school district may opt-out if the expense reimbursement would not fully cover the costs of implementing and operating the breakfast program. To do so, the district must petition its regional superintendent by February 15. The regional superintendent, after a public hearing, and by March 15, informs the district of his or her decision. If the regional superintendent does not grant an exemption, the district must implement a school breakfast program by the first student attendance day of the next school year. However, the school district or a resident of the school district may appeal the regional superintendent's decision to the State Superintendent of Education.

School districts must, by February 15, promulgate a plan to serve breakfast and/or lunch at each school where 50% or more of the students are eligible for free or reduced-price school meals *and* have a summer school program operating during the summer months. 105 ILCS 126/20. School districts must implement these programs every summer as long as the school district has a school or schools that meet the criteria. If a school building with a 50% or greater free and reduced percentage does not operate a summer school program, the school district shall make information available regarding the number of children in the school eligible for free or reduced-price school meals upon request by a non-profit organization. A school district may utilize an *opt-out* provision if documentation shows the expense reimbursement would not fully cover the costs of implementing and operating a program. To do so, the district must petition its regional superintendent of schools by January 15. The regional superintendent, after a public hearing, and by March 1, informs the district of his or her decision. If the regional superintendent does not grant an exemption, the district must implement and operate the summer food program the summer following the current school year. However, the school district or a resident of the school district may appeal the regional superintendent's decision to the State Superintendent of Education who shall hear appeals and make a final decision no later than April 1. Resources for promulgating a plan for a summer breakfast or lunch (or both) food service program are available on ISBE's website at: www.isbe.net/nutrition/htmls/national_school_lunch.htm and www.isbe.net/nutrition/htmls/summer.htm.

105 ILCS 126/16, added by P.A. 99-850, eff. 1-1-17, requires qualifying school districts to implement and operate a breakfast after the bell program by the first school day of the 2017-2018 academic year in each of its school buildings where:

1. At least 70% or more of the students are eligible for free or reduced-price lunches based upon the previous year's October claim (for those schools that participate in the National School Lunch Program).
2. At least 70% or more of the students are classified as low-income according to the Fall Housing Data from the previous year (for those schools that do not participate in the National School Lunch Program), or
3. An individual building's site percentage for free or reduced-price meals of 70% or more (for those schools using Provision 2 under Section 11(a)(1) of the federal Richard B. Russell National School Lunch Act or the Community Eligibility Provision under Section 104(a) of the federal Healthy, Hunger-Free Kids Act of 2010 to provide universal meals).

Schools that fall below the applicable 70% threshold for two consecutive years may either continue participating in the program or discontinue it (Id.).

Each school under this Section may determine the breakfast after the bell service model that best suits its students. Service models include, but are not limited to, breakfast in the classroom, grab and go breakfast, and second-chance breakfast (Id. at c).

A district is not required to implement a breakfast after the bell program when it can demonstrate that:

- i) Delivery of school breakfasts effectively, as defined by 70% or more of free or reduced-price eligible students participating in the School Breakfast Program, or

Eligibility Criteria and Selection of Children 4

A student's eligibility for free and reduced-price food services shall be determined by the income eligibility guidelines, family-size income standards, set annually by the U.S. Department of Agriculture and distributed by the Illinois State Board of Education.

Notification 5

At the beginning of each school year, by letter, the District shall notify students and their parents/guardians of: (1) eligibility requirements for free and reduced-price food service; (2) the application process; (3) the name and telephone number of a contact person for the program;⁶ and (4) other information required by federal law. The Superintendent shall provide the same information to: (1) informational media, the local unemployment office, and any major area employers contemplating layoffs;⁷ and (2) the District's website (if applicable), all school newsletters, or students' registration materials.⁸ Parents/guardians enrolling a child in the District for the first time, any time during the school year, shall receive the eligibility information.

Nondiscrimination Assurance 9

The District shall avoid publicly identifying students receiving free or reduced-price meals and shall use methods for collecting meal payments that prevent identification of children receiving assistance.

ii) Its reimbursement for the program would not fully cover its implementation and operation costs due to district-specific circumstances (a cost analysis must be submitted to the school board, the board must hold a public hearing, and the board must pass a resolution that the district cannot afford to operate a breakfast after the bell program).

A board must post the time, date, place, and general subject matter of the public hearing on its website and notify the State Board of Education at least 14 days prior to the hearing (fd. at (d)).

³ 7 C.F.R. §245.10(a)(1).

⁴ 7 C.F.R. §245.3; see also the subhead titled Household Eligibility Criteria on State Board of Education's website at: www.isbe.net/nutrition/htmls/forms_sbn.htm#hej. If a child transfers from one district school to another district school, his or her eligibility for free or reduced price meals or for free milk, if previously established, is honored by the receiving school.

Beginning in the year 2011-2012, the U.S. Depts. of Agriculture and Education implemented a new claiming option for providing reimbursements to school districts that provide free breakfasts and lunches to all students in schools with significantly economically disadvantaged populations. It is called the Community Eligibility ~~Provision Option~~ (CEPO). For more information about qualifying for and claiming through this reimbursement method, see www.isbe.net/e-bulletins/pdf/02-12.pdf.

For districts that qualify for and claim the CEPO, insert the following sentence at the end of the first sentence:

From time to time, the income eligibility guidelines and standards may not be necessary when reimbursements for students' free breakfasts and lunches are claimed through the U.S. Depts. of Agriculture and Education's Community Eligibility ~~Provision Option~~ (CEPO). When claiming the CEPO, the District will follow its requirements.

All subheads in this policy that detail the legal requirements under State and federal laws continue to apply when CEPO is used and should remain in the policy.

⁵ 7 C.F.R. §245.5; 23 Ill.Admin.Code §305.10(c). Any changes in the eligibility criteria must be announced according to 7 C.F.R. §245.5(b).

⁶ 23 Ill.Admin.Code §305.10(c) requires notification of this one additional piece of information.

⁷ 7 C.F.R. §245.5.

⁸ 23 Ill.Admin.Code §305.10(c). Only one medium must be used; a board may choose one medium and delete the others from the policy or use them all.

⁹ 7 C.F.R. §§245.8 and 245.10(a)(4).

Appeal 10

A family may appeal the District's decision to deny an application for free and reduced-price food services or to terminate such services as outlined by the U.S. Department of Agriculture in 7 C.F.R. §245.7, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools. The Superintendent shall establish a hearing procedure for adverse eligibility decisions and provide by mail a copy of them to the family. The District may also use these procedures to challenge a child's continued eligibility for free or reduced-price meals or milk.

During an appeal, students previously receiving food service benefits shall not have their benefits terminated. Students who were denied benefits shall not receive benefits during the appeal.

The Superintendent shall keep on file for a period of three 3-years a record of any appeals made and the hearing record. The District shall also maintain accurate and complete records showing the data and method used to determine the number of eligible students served free and reduced-price food services. These records shall be maintained for three 3-years.

LEGAL REF.: U.S. Dept. of Agriculture, Food and Nutrition Service, National School Lunch Program, 7 C.F.R. Part 210.
U.S. Dept. of Agriculture, Food and Nutrition Service, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools, 7 C.F.R. Part 245.
105 ILCS 125/ and 126/
23 Ill.Admin.Code §305.10 et seq.

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.
10 7 C.F.R. §245.7. The minimal hearing requirements are also found there.

Comment [KAS1]: Policy is unchanged. Footnotes are updated to incorporate: (1) the Environmental Barriers Act, P.A. 99-582, eff. 1-1-17; (2) interfund transfers, P.A. 99-713; and (3) amendments to Health/Life and Safety Code for Public Schools at 23 Ill. Admin. Code Part 180, amended at 40 Ill. Reg. 3059.

Operational Services

Facility Management and Building Programs ¹

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, and (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. ²

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 \$12,500, 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.

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 School Act, 105 ILCS 140/). IASB sample policy 4:160, *Environmental Quality of Buildings and Grounds*, 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 (ADA) 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 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\(a-1\)](#)), and (3) all contractors must submit certain employment records to the district and the district must keep these records as required by law (820 ILCS 130/5, ~~amended by P.A.s 98-328 and 98-482~~).

² 105 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." ~~The Regional Office of Education for Suburban Cook County was abolished and its duties and powers transferred to the Intermediate Service Center for the area by P.A. 96-893.~~

³ This provision is optional and the amount may be changed. The \$12,500 spending limit is one-half of the bidding threshold for purchases or contracts (105 ILCS 5/10-20.21). 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.

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 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 Illinois 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.

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

4 Required by the Green Cleaning School Act (105 ILCS 140/) and Green Cleaning for Elementary and Secondary Schools (23 Ill.Admin.Code Part 2800). The ~~Guidelines and Specifications, established by the Ill. Green Government Coordinating Council~~ established Guidelines and Specifications, which state: "While not mandatory, schools should implement the practices set forth in the Recommendations section of these guidelines where applicable and appropriate. [a]ll schools may continue to use their current cleaning supplies, equipment and policies until ... such time as the supplies and equipment on hand as of May 9, 2008 are exhausted." See:

www.illinois.gov/gov/green/Documents/Illinois%20Green%20Cleaning%20Guidelines%20and%20Specifications.pdf
www.standingupforillinois.org/green/school-cleaning.php
www.standingupforillinois.org/uploads/20080122GCSAGuidelines.pdf

5 105 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, respectively. Among ~~its~~ their mandates ~~is~~ are the decennial safety survey report (105 ILCS 5/2-3.12(b); 23 Ill.Admin.Code §180.310). After 1-1-2015, 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), amended at 40 Ill. Reg. 3059, P.A. 98-882, eff. 1-1-2015). 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), amended at 40 Ill. Reg. 3059).

The Ill. Environmental Barriers Act (410 ILCS 25/) and the Ill. Accessibility Code (71 Ill.Admin.Code Part 400) ensure that "all applicable buildings and facilities in the State of Illinois, are so designed, constructed, and/or altered to assure the safety and welfare of all members of society and to be readily accessible to, and usable by, environmentally limited persons," (71 Ill.Admin.Code §400.110). Note: The Ill. Environmental Barriers Act, as amended by P.A. 99-582, eff. 1-1-17, deleted the term *environmentally limited person*, which until then had been defined in 410 ILCS 25/3 as "a person with a disability or condition who is restricted in the use of the built environment." Press boxes constructed on school property before 7-1-2009 do not have to comply with the Accessibility Code 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 5/10-20.4651; 23 Ill.Admin.Code 180.60(b)(4), amended at 40 Ill. Reg. 3059).

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).

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, ~~amended by P.A. 98-26~~). An expedited process may be available in emergency situations (Id.). A board may, 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 until June 30, 2016 (Id., ~~amended by P.A. 99-713~~).

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.). For environmental impact laws, see policy 4:160, *Environmental Quality of Buildings and Grounds*.

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

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.⁷ 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. The Board will make the final selection. The Superintendent or designee may name a room or designate 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.
 20 ILCS 3130/, Green Buildings Act.
 105 ILCS 5/2-3.12, 5/10-20.49, 5/10-22.36, 5/17-2.11, 140/, and 230/
 410 ILCS 25/, Environmental Barriers 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)

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

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

⁷ The board may want to include criteria for the committee, in which case the following is an option:

1. The committee will encourage input from the community, staff members, and students.
2. Consideration will be given to names of local communities, neighborhoods, streets, landmarks, historical considerations, and individuals who have made a contribution to the District, community, State, or nation.
3. The name will not duplicate or cause confusion with the names of existing facilities in the District.

Operational Services

Safety 1

Safety and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on District property or at a District event.² The Superintendent or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

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

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practices discussed for their building regarding the use of any available cellular telephones.⁵

School Safety Drill Plan 6

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

¹ State law requires a policy on several topics in this policy (see ¶n 7, 8 & 9) and otherwise controls this policy's content. Topics previously assigned to this code number were moved in May 2014 and placed in 4:100, *Insurance Management* and 4:175, *Convicted Child Sex Offender*; [Screening](#); [Notifications](#).

² This simple end statement should be discussed and altered accordingly before board adoption. Ask: what effect or impact will this statement have on the students and the community?

³ See administrative procedure 4:170-API1, *Comprehensive Safety and Security Plan*. This procedure follows the recommendations in the "Guide for Developing High-Quality School Emergency Operations Plans," produced by a collaboration of federal agencies in 2013, available at rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. The *Guide* informs schools what they *need* to do, not *what* to do. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content.

⁴ Required by 105 ILCS 128/20(b) and 105 ILCS 5/10-20.14(c) for all students. See 4:110-AP3, *School Bus Safety Rules*.

⁵ 105 ILCS 5/10-20.28. Consider discussing with local law enforcement what its preference would be and encourage staff and students to follow the recommendation. A wave of 911 cell phone calls can jam phone lines. Student use of cell phones is addressed in 7:190, *Student Discipline Behavior*.

⁶ 625 ILCS 5/12-610.1(e) prohibits wireless telephone use at any time while operating a motor vehicle on a roadway in a school speed zone except for (1) highway construction or maintenance workers within their work zones, (2) any use for emergency purposes, (3) law enforcement officers or emergency responders performing their duties, (4) a person using a wireless telephone in voice-operated mode with or without use of a headset, and (5) a person with technology that uses a single button to initiate or terminate a voice communication, (e.g., HandsFreeLink®). 625 ILCS 5/12-813.1 limits cell phone use by school bus drivers; see policy 4:110, *Transportation*.

⁶ Each of the listed drills is required by the School Safety Drill Act, 105 ILCS 128/. Each drill's requirements are comprehensively covered in 4:170-API1, *Comprehensive Safety and Security Plan*. For information about documenting minimum compliance with the School Safety Drill Act, see www.isbe.net/safety/guide.htm.

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

1. Three school evacuation drills
2. One bus evacuation drill
3. One severe weather and shelter-in-place drill
4. One law enforcement drill

Automated External Defibrillator (AED) 7

The Superintendent or designee shall implement a written plan for responding to medical emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act. The plan shall provide for an automated external defibrillator (AED) to be available according to State law requirements. This policy does not create an obligation to use an AED nor is it intended to create any expectation that an AED will be present or a trained person will be present and/or able to use an AED.

Carbon Monoxide Alarms 8

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

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

105 ILCS 5/2-3.12 authorizes ~~the Ill. State Fire Marshal or a qualified fire official to whom the Ill. State Fire Marshal has delegated his or her authority~~ fire officials to conduct ~~an annual fire safety inspection of each school building~~ routine fire safety checks, provided ~~the inspection is coordinated with the regional superintendent. See also 105 ILCS 5/3-14.21(c) and 23 Ill. Admin. Code §180.300(b). To effectively implement this law and ensure the education of students in the district is not disturbed, school officials should discuss with the State Fire Marshal and regional superintendent whether written notice may be provided~~ given to the principal requesting to schedule a mutually agreed upon time. ~~No more than two routine inspections may be made in a calendar year.~~

7 Each indoor and outdoor physical fitness facility serving at least 100 individuals must "adopt and implement a written plan for responding to medical emergencies that occur at the facility during the time that the facility is open for use by its members or by the public." The facility must file the plan with the Ill. Dept. of Public Health. In addition, each indoor facility must have at least one AED on the premises, and each outdoor facility must house an AED in a building, if any, that is within 300 feet of the outdoor facility. See the statute and administrative rules for the other numerous mandates: 210 ILCS 74/ (Physical Fitness Facility Medical Emergency Preparedness Act); 77 Ill. Admin. Code Part 527. Also see 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*.

8 105 ILCS 5/10-20.56, added by P.A. 99-470, ~~eff. 1-1-16~~. *Carbon monoxide detector* and *detector* mean a device having a sensor that responds to carbon monoxide gas and that is connected to an alarm control unit and approved in accordance with rules adopted by the Ill. State Fire Marshal. *Approved carbon monoxide alarm* or *alarm* means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Ill. State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association (430 ILCS 135/5).

Consult both the board attorney and the local fire officials about whether a school building is exempt from this law. Remove this subhead if the board attorney determines that every building across the entire school district is exempt. The law applies to school buildings that have or are close to any *sources of carbon monoxide*; however, it does not specifically define what that means. 430 ILCS 135/20 defines exemptions for residential units and may provide guidance on the exemption for schools. The law also fails to define *carbon monoxide emitting device*, which triggers the placement point in a school building for a carbon monoxide alarm or carbon monoxide detector.

Soccer Goal Safety ⁹

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

Unsafe School Choice Option ¹⁰

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

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

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

Emergency Closing

The Superintendent is authorized to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property. ¹¹

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

⁹ Include this section **only** if the school district owns and controls a movable soccer goal (Movable Soccer Goal Safety Act, a/k/a *Zach's Law*, 430 ILCS 145/). The Act requires: (1) organizations that own and control a movable soccer goal to create a soccer goal safety and education policy that outlines how the organization will specifically address the safety issues associated with movable soccer goals, and (2) the Ill. Dept. of Public Health to provide technical assistance materials, which are available at: www.idph.state.il.us/soccer-goal-safety/index.html illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/soccer-goal-safety.

¹⁰ This topic must be covered in board policy (105 ILCS 5/10-21.3a). See also 20 U.S.C. §7912. ISBE maintains a list of persistently dangerous schools. Districts having only one school may substitute the following for this paragraph:

The unsafe school choice option provided in State law permits students to transfer to another school within the District in certain situations. This transfer option is unavailable in this District because the District has only one school or attendance center. A student, who would otherwise have qualified for the choice option, or such a student's parent/guardian, may request special accommodations from the Superintendent or designee.

Districts with each grade in only one attendance center may substitute the following for this paragraph:

The unsafe school choice option provided in State law permits students to transfer to another school within the District in certain situations. This transfer option is unavailable in this District because each grade is in only one attendance center. A student, who would otherwise have qualified for the choice option, or such a student's parent/guardian, may request special accommodations from the Superintendent or designee.

¹¹ When a school is closed or its starting time is delayed due to adverse weather conditions or a health or safety threat, the district may count a partial day of attendance as a full day for State aid purposes, provided: (1) at least one hour of instruction was provided or the normal start time was delayed, and (2) the superintendent provides the Regional Superintendent or the Suburban Cook County Intermediate Service Center, whichever is appropriate, with a written report in support of the partial day within 30 days (105 ILCS 5/18-12). ~~P.A. 96-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to the Intermediate Service Center for the area.~~

105 ILCS 5/18-12.5 governs claiming state aid if a district closes one or more schools, but not all schools, during the public health emergency, as determined by ISBE in consultation with the Ill. Dept. of Public Health.

Annual Review ¹²

The Board or its designee will annually review each school building's safety and security plans, protocols, and procedures, as well as each building's compliance with the school safety drill plan.

LEGAL REF.: 105 ILCS 5/10-20.2, 5/10-20.56, 5/18-12, 5/18-12.5, and 128/
210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; ~~Criminal~~
~~Background Check and/or Screening~~; Notifications), 4:180 (Pandemic
Preparedness), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct
on School Property), 8:100 (Relations with Other Organizations and Agencies)

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

¹² State law requires each school board or its designee to conduct one annual meeting at which it reviews each building's emergency and crisis response plan, protocols, and procedures and each building's compliance with the school safety drill plan (105 ILCS 128/25 and 128/30). If the school board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The statutes contain detailed requirements. The board or its designee must complete a one-page report certifying that the review took place, among other things. The board or its designee must send a copy of the report to each participating party and the appropriate Regional Superintendent. ISBE's website contains an annual review checklist and report at www.isbe.net/safety/guide.htm.

4:170

Page 4 of 4

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Operational Services

Convicted Child Sex Offender; Criminal Background Check and/or Screening; Notifications 1

Persons Prohibited on School Property without Prior Permission

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions: 2

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

In all cases, the Superintendent or designee shall supervise a child sex offender whenever the offender is in a child’s vicinity. 3 If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school. 4

Comment [KAS1]: RENAMED The policy, Cross References, and footnotes are updated to:
 1. Align with 5:260, *Student Teachers*, which is updated in response to 105 ILCS 5/10-21.9, 5/21B-5, and 5/21B-80, amended by P.A. 99-667;
 2. Clarify School Code requirements for student teacher *fingerprint-based criminal history records checks*; and
 3. Incorporate continuous improvement. **PRESS** subscriber feedback overwhelming prefers that “students doing field or clinical experience other than student teaching” *not* be in the sample default policy language. State law does not require these individuals, along with resource persons and volunteers, to have fingerprint-based criminal history records checks.

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

- 1 The topic covered by this policy was previously a part of 4:170, *Safety*.
- 2 The Criminal Code, 720 ILCS 5/11-9.3, contains these requirements concerning a child sex offender’s presence on school property. An Illinois federal court denied a father’s request to enjoin a school’s policy that prohibited him, as a child sex offender, from attending his children’s school activities in *Doe v. Paris Union School Dist.*, No. 05-2249, 2006 WL 44304 (C.D.Ill., 2006). See also 8:30, *Visitors to and Conduct on School Property*.
- 3 720 ILCS 5/11-9.3. The statute assigns the child sex offender the “duty to remain under the direct supervision of a school official.” In order to ensure this happens and to protect students, the sample policy requires the superintendent or designee to supervise a child sex offender whenever the offender is in a child’s vicinity. See also 8:30, *Visitors to and Conduct on School Property*.
- 4 Aside from rumor and notoriety, there are three ways that school officials may learn that an enrolled student is a sex offender or a violent offender against youth:
 1. By being informed by the student or the student’s parent/guardian.
 2. Through the Illinois State Police Sex Offender Registry, www.isp.state.il.us/sor. A juvenile sex offender is listed there after the juvenile becomes 17 years old and will be listed for the remaining registration period (730 ILCS 150/2). The database is updated daily and allows searching by name, city, county, zip code, compliance status, or any combination thereof.
 3. By receiving notification from a law enforcement agency that a juvenile sex offender or juvenile violent offender against youth is enrolled in a school. The law enforcement agency having jurisdiction to register the juvenile must provide a copy of the offender registration form to the building principal and guidance counselor designated by the principal; the school must keep the registration form separately from the student’s school records (730 ILCS 152/121(b)).

Criminal Background Check and/or Screening ⁵

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

Notification to Parents/Guardians

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law. ⁶ The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. ⁷ This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

If a sex offender is enrolled in a school, guidelines for managing the sex offender's presence in school should be prepared. The components will depend on the situation but generally should include asking the parent/guardian of a sex offender below the age of 17 years for permission to share the information with certain staff for the protection of both the student and other students. In addition, the guidelines should include a supervision plan providing supervision for the student during all aspects of his or her school day. Finally, the guidelines must respect the privacy of juvenile records and comply with the Ill. School Student Records Act, 105 ILCS 10/. The board attorney should be consulted.

⁵ The law is silent with regard to screening volunteers and individuals in the proximity of a school. Screening and fingerprint-based criminal history records checks are different. See procedure 4:175-AP1, Criminal Offender Notification Laws: Screening, for further distinctions.

The School Code requires school districts to perform a fingerprint-based criminal history records check through (a) the Illinois State Police (ISP) for an individual's Criminal History Records Information (CHRI) and (b) the FBI's national crime information databases (105 ILCS 5/10-21.9(a), (a-5) and (a-6)).

Screening only involves checking an individual's name and address against publicly-available databases and information provided for local law enforcement like the: (1) Illinois Sex Offender Registry, www.isp.state.il.us/sor/, and (2) the Violent Offender Against Youth Registry maintained by the State Police, www.isp.state.il.us/cmvo/. See policy 5:30, Hiring Process and Criteria; procedure 5:30-AP2, Investigations; policy 6:250, Community Resource Person and Volunteers; and procedure 6:250-AP, Securing and Screening Resource Persons and Volunteers.

⁶ Sex Offender Community Notification Law, 730 ILCS 152/, and Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-105. Law enforcement officials must notify school districts of the names, addresses, and offenses of registered offenders residing in their respective jurisdictions who have committed sex offenses and violent offenses against youth (730 ILCS 152/120 and 154/95). These laws are silent with regard to what, if anything, districts do with the information. The Sex Offender Community Notification Law, however, provides immunity for "any person who provides, or fails to provide, information relevant to the procedures set forth in this Law," (730 ILCS 152/130).

Naming a contact person will facilitate communication and cooperation with local law enforcement agencies. Any school official may be used as the contact person, and boards may wish to have a contact person from each building. See administrative procedure 4:175-AP1, *Criminal Offender Notification Laws: Screening*, for implementing procedures.

⁷ State law requires a principal or teacher to notify the parents/guardians during school registration or parent-teacher conferences that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law, 730 ILCS 152/. In an effort to keep this policy aligned with good governance practices, the responsibility is given to the superintendent and building principal to manage. While State law allows the notification to be made during registration or parent-teacher conferences, the sample policy makes a notification mandatory just during registration to be sure that all parents/guardians are informed.

LEGAL REF.: 20 ILCS 2635/, Uniform Conviction Information Act.
720 ILCS 5/11-9.3.
730 ILCS 152/, Sex Offender Community Notification Law.
730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community
Notification Law.

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community
Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School
Property), 8:100 (Relations with Other Organizations and Agencies)

DRAFT UPDATE

General Personnel

Equal Employment Opportunity and Minority Recruitment

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

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

Administrative Implementation

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

Nondiscrimination Coordinator and Complaint Managers:

Please refer to either the student handbook or faculty handbook to obtain the names and contact information for the current district discrimination coordinator and complaint managers.

Minority Recruitment

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

DRAFT UPDATE

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.
Americans With Disabilities Act, Title I, 42 U.S.C. §12111 et seq.
Civil Rights Act of 1991, 29 U.S.C. §§621 et seq. 42 U.S.C. §1981 et seq. §2000e et seq., and §12101 et seq.
Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964), 42 U.S.C. §2000e et seq., 29 C.F.R. Part 1601.
Equal Pay Act, 29 U.S.C. §206(d).
Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.
Pregnancy Discrimination Act, 42 U.S.C. §2000e(k).
Title IX of the Education Amendments, 20 U.S.C. §1681 et seq., 34 C.F.R. Part 106.
Uniformed Services Employment and Reemployment Rights Act (1994), 38 U.S.C. §§4301 et seq.
Ill. Constitution, Art. I, §§17, 18, and 19.
105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.
Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/40.
Genetic Information Protection Act, 410 ILCS 513/25.
Ill. Whistleblower Act, 740 ILCS 174/.
Ill. Human Rights Act, 775 ILCS 5/1-103, 5/2-102, 5/2-103, and 5/6-101.
Religious Freedom Restoration Act, 775 ILCS 35/5.
Right to Privacy in the Workplace Act, 820 ILCS 55/10.
Employee Credit Privacy Act, 820 ILCS 70/.
Job Opportunities for Qualified Applicants Act, 820 ILCS 820 ILCS 75/.
Ill. Equal Pay Act of 2003, 820 ILCS 112/.
Victims' Economic Security and Safety Act, 820 ILCS 180/30.
Nursing Mothers in the Workplace Act, 820 ILCS 260.
~~23 Ill. Admin. Code §1.230.~~

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

ADOPTED: April 8, 2015

Comment [APowell1]:

Legal References are updated in response to Privacy in the Workplace Law, 820 ILCS 55/10(b), amended by P.A. 99-610, eff. 1-1-17.

Issue 93, October 2016

DRAFT UPDATE – REWRITTEN

5:60

General Personnel

Expenses¹

The Board regulates the reimbursement of all travel, meal, and lodging expenses by resolution.² Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the employee,³ (2) anyone's personal expenses,⁴ or (3) entertainment expenses.⁵ Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.⁶ Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following:⁷

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and title of the employee who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants.⁸

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

¹ State law controls this policy's content (105 ILCS 5/10-9, 5/10-10, and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); and the Local Government Travel Expense Control Act (ECA) 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 (regulation of travel expenses)). The deadline for implementation of this policy under the ECA is 7-1-17, but as a practical matter due to other requirements in the law, the implementation deadline will be 3-2-17; see the third paragraph in *fn* 3 of policy 2:125, *Board Member Compensation: Expenses*.

² 105 ILCS 5/10-22.32 states that "[t]he school board may advance to teachers and other certified employees the anticipated actual and necessary expenses incurred in attending meetings that are related to that employee's duties and will contribute to the professional development of that employee." This policy expands beyond those two categories (105 ILCS 5/10-20) of employees, and the limited purpose of attending meetings, to reimburse all employees for approved expenses necessary for the employee to perform his or her duties.

This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. If a local collective bargaining agreement contains a provision on expenses, consult the board attorney about how this policy may impact it.

³ 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17. See *fn*s 4 through 8 in policy 2:125, *Board Member Compensation: Expenses*, for more discussion.

For a sample resolution, see 2:125-E3, *Resolution to Regulate Expense Reimbursements*.

⁴ 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses to be advanced or reimbursed to any person other than a board member or employee of the district.

⁵ Optional. *Personal expenses* are not defined in 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17 or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State's widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

⁶ 50 ILCS 150/25, added by P.A. 99-604, eff. 1-1-17.

⁷ *Id.*

⁸ 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32); the ECA requires submission of itemized, signed, standardized forms. Both 5:60-E1, *Employee Expense Reimbursement Form* and 5:60-E2, *Employee Estimated Expense Approval Form* incorporate *voucher* into the ECA's requirement to use standardized forms. See *fn* 11 below, and see also *fn* 20 of policy 2:125, *Board Member Compensation: Expenses*, for more discussion.

⁹ *Id.* at (2) and (3). This sentence mirrors the statute. The term *offices* is not defined. Consult the board attorney about whether inserting *job titles* would be sufficient for this requirement.

Comment [APowell1]:

This policy implements the Local Government Travel Expense Control Act, 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17.

The footnote material is provided here for your information; once this policy has been adopted, the footnotes and copyright information will be removed.

Issue 93, October 2016

5:60

Page 1 of 4

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DRAFT UPDATE – REWRITTEN

3. The date(s) of the official business on which the expense advancement, reimbursement, or purchase order will be or was expended.⁹
4. The nature of the official business conducted when the expense advancement, reimbursement, or purchase order will be or was expended.¹⁰

Advancements

The Superintendent may advance expenses to teachers and other licensed employees for the anticipated actual and necessary expenses to be incurred while attending meetings that are related to their duties and will contribute to their professional development,¹¹ provided they fall below the maximum allowed in the Board's expense regulations.¹²

Expense advancement requests must be submitted to the Superintendent or designee on the District's standardized estimated expense approval form for employees. After spending expense advancements, employees must use the District's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts.¹³ Any portion of an expense advancement not used must be returned to the District.¹⁴ Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursements and purchase orders may be issued by the Superintendent or designee to employees, along with other expenses necessary for the performance of their duties, provided the expenses fall below the maximum allowed in the Board's expense regulations.

Expense reimbursements and purchase order approvals are not guaranteed and, when possible, employees should seek pre-approval of expenses¹⁵ by providing an estimation of expenses on the District's standardized estimated expense approval form for employees, except in situations when the expense is diminutive. When pre-approval is not sought, employees must seek reimbursement on the

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⁹ *Id.* at (4).

¹⁰ *Id.*

¹¹ 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This statute addresses expense advancements for certain activities; its language pre-dates the ECA and is narrower than the ECA. This policy seeks to reconcile the differences by separating advancements into a separate subhead. See *fn* 7 above, and see also *fn* 20 of policy 2:125, *Board Member Compensation: Expenses*, for more discussion.

¹² 50 ILCS 150/10 and 20, added by P.A. 99-604, eff. 1-1-17. This phrase recognizes that while advancements are allowed in these situations, they should remain below the MARA set by the board.

¹³ 50 ILCS 150/20, added by P.A. 99-604, eff. 1-1-17.

¹⁴ This paragraph's provisions are required by 105 ILCS 5/10-22.32.

¹⁵ Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense *pre-approvals*. 50 ILCS 150/20 states: "an *estimate* if expenses have not been incurred ..." or "a *receipt* ..." if the expenses have already been incurred." suggesting no pre-approval is necessary. However, pre-approval is a best practice, and an employee who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements* reflects the district's specific pre-approval requirements. For an example of a standardized *estimated* expense form that could be used as a form of pre-approval, see 5:60-E2, *Employee Estimated Expense Approval Form*. The form provides three methods for employees to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

DRAFT UPDATE – REWRITTEN

District's standardized expense reimbursement form for employees. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Use of Credit and Procurement Cards

Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*.

Exceeding the Maximum Allowable Expense Amount(s) ¹⁶

All requests for expense advancements, reimbursements, and purchase orders exceeding the maximum allowed in the Board's expense regulations may only be approved when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting.¹⁷

Registration ¹⁸

When possible, registration fees will be paid by the District in advance.

Travel

The least expensive method of travel will be used, provided that no hardship will be caused to the employee. Employees will be reimbursed for:

1. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Copies of airline tickets must be attached to the expense form.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
5. Taxis, airport limousines, or other local transportation costs.

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¹⁶ 50 ILCS 150/ does not define *maximum allowable reimbursement amount* (MARA). Consult the board attorney to assist with a conversation about how much authority the board wishes to delegate to the superintendent for purposes of setting the MARA. Topics for these conversations are listed in *fn 8* of policy 2:125, *Board Member Compensation; Expenses*.

¹⁷ 50 ILCS 150/10 and 15. See *fn 13* in policy 2:125, *Board Member Compensation; Expenses* for more discussion.

¹⁸ Amend the language in subheads **Registration**, **Travel**, **Meals**, **Lodging**, and **Miscellaneous Expenses** to align with the MARA defined in the board's expense regulation resolution. See 2:125-E3, *Resolution to Regulate Expense Reimbursements* for a sample resolution.

See *fn 4* in policy 2:125, *Board Member Compensation; Expenses*, for further discussion about the board's power to set the expense regulations by policy (105 ILCS 5/10-20) and *fn 8* for considerations and unanswered questions surrounding its statutorily-imposed duty to set a MARA (50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17).

DRAFT UPDATE – REWRITTEN

Meals

Meals charged to the District should represent mid-fare selections for the hotel/meeting facility or general area.¹⁹ Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

Lodging

Employees should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Employees should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.

Miscellaneous Expenses

Employees may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

LEGAL REF.: 105 ILCS 5/10-22.32.
Local Government Travel Expense Control Act, 50 ILCS 150/.

CROSS REF.: 2:125 (Board Member Compensation; Expenses), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards)

Comment [APowell2]:

OPTION: Alternatively, a board could set a daily limit on meal costs:
Employees will be reimbursed for meal costs and tips up to \$_____ per day consistent with the maximum reimbursement amount(s) set by the Board.

Ensure this amount is consistent with the Maximum Allowable Expense Amount set by the Board resolution.

Issue 93, October 2016

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¹⁹ Alternatively, a board could set a daily limit on meal costs, such as:

Employees will be reimbursed for meal costs and tips up to \$_____ per day consistent with the maximum reimbursement amount(s) set by the Board.

But see also f/n 8 of policy 2:125, *Board Member Compensation; Expenses* and ensure this amount is consistent with the MARA set by the board resolution.

5:60

Page 4 of 4

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DRAFT UPDATE

General Personnel

Staff Development Program

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

The staff development program shall provide, at a minimum, at least once every 2 years, the in-service training of licensed school personnel and administrators on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.

The staff development program shall provide, at a minimum, once every 2 years, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct.

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

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

DRAFT UPDATE

7. Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.
8. Annual continuing education and/or training opportunities (*professional standards*) for school nutrition program directors, managers, and staff. Each school food authority's director shall document compliance with this requirement by the end of each school year and maintain documentation for a three year period.
9. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team. Individuals covered by this training mandate ~~were to must~~ initially complete the training by 9-1-2016.
- 9.10. Every two years, school personnel who work with students must complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting.

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

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

LEGAL REF.: 105 ILCS 5/2-3.62, 5/10-22.6(c-5), 5/10-22.39, 5/22-80(h), 5/10-23.12, 5/24-5, 25/1.15 and 110/3.
325 ILCS 5/4, Abused and Neglected Child Reporting Act.
745 ILCS 49/, Good Samaritan Act.
7 C.F.R. Part 210.
23 Ill.Admin.Code Part 525.

CROSS REF.: 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Ethics and Conduct), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:160 (English Learners), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Food Allergy Management Program), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)

ADOPTED: January 14, 2016

Comment [APowell1]:

105 ILCS 5/22-30(j-15), amended by P.A. 99-843. Consult the board attorney about whether:

a. All asthma action plans should require immediate 911 calls based upon In re: Estate of Jeffery Stewart, 2016 IL App (2d) 151117, No. 2-15-1117 (8-24-16). The court held that a teacher's failure to dial 911 immediately upon a student's asthma attack was *willful and wanton* conduct, subjecting the school district to liability under the Local Governmental Employees Tort Immunity Act.

b. The duties and responsibilities of the district when it asks for, but does not receive an asthma action plan from a parent/guardian and the logistics of distributing any received plans to those employees who need to know based upon Stewart, above.

Issue 93, October 2016

DRAFT UPDATE

General Personnel

Personal Technology and Social Media: Usage and Conduct

Definitions

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

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

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

Comment [APowell1]:

Updated in response to ongoing PRESS Advisory Board feedback.

Issue 93, October 2016

Usage and Conduct

All District employees who use personal technology and social media shall:

1. Adhere to the high standards for appropriate school relationships required by policy 5:120, *Ethics and Conduct* at all times, regardless of the ever-changing social media and personal technology platforms available. This includes District employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by policy 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Ethics and Conduct*; 6:235, *Access to Electronic Networks*; 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.
2. Choose a District-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Comply with policy 5:130, *Responsibilities Concerning Internal Information*. This means that personal technology and social media may not be used to share, publish, or transmit information about or images of students and/or District employees without proper approval. For District employees, proper approval may include implied consent under the circumstances.
5. Refrain from using the District's logos without permission and follow Board policy 5:170, *Copyright*, and all District copyright compliance procedures.
6. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation.

DRAFT UPDATE

7. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the District employee's personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media.
8. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of this policy.

The Superintendent shall:

1. Inform District employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Ethics and Conduct*.
2. Direct Building Principals to annually:
 - a. Provide their building staff with a copy of this policy.
 - b. Inform their building staff about the importance of maintaining high standards in their school relationships.
 - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that no one for the District, or on its behalf, requests of an employee or applicant access in any manner to his or her social networking website or requests passwords to such sites.
5. Periodically review this policy and any procedures with District employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

LEGAL REF.: 105 ILCS 5/21B-75 and 5/21B-80.
Ill. Human Rights Act, 775 ILCS 5/5A-102.
Code of Ethics for Ill. Educators, 23 Ill.Admin.Code §22.20.
Garcetti v. Ceballos, 547 U.S. 410 (2006).
Pickering v. High School Dist. 205, 391 U.S. 563 (1968).
Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria),
5:100 (Staff Development Program), 5:120 (Ethics and Conduct), 5:130
(Responsibilities Concerning Internal Information), 5:150 (Personnel Records),
5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal),
6:235 (Access to Electronic Networks), 7:20 (Harassment of Students
Prohibited), 7:340 (Student Records)

ADOPTED: August 13, 2014

Comment [APowell2]:

Right to Privacy in the Workplace Act, 820 ILCS 55/10(b), amended by P.A. 99-610, eff. 1-1-17 (also known as the *Facebook Password Law*). The exception for *professional accounts* is unlikely to be available to school districts; see the explanation in ¶ 15 in policy 5:30, *Hiring Process and Criteria*. The statute specifically permits an employer to: (1) maintain workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and (2) monitor usage of the employer's electronic equipment and electronic mail.

The statute does not prohibit an employer from (1) obtaining information about an applicant or an employee that is in the public domain or that is otherwise obtained in compliance with the statute, and (2) requesting or requiring an applicant or employee to share specific content that is reported to the employer to: (a) ensure compliance with laws and regulatory requirements, (b) investigate certain allegations as outlined in the law, and (c) prohibit certain outlined behaviors in the law. Finally, the statute does not apply to other types of personal technology that employees may use to communicate with students or other individuals, such as personal email or text messages on a personal phone. However, employers may access online accounts that the employer pays for or that an employee creates or maintains on behalf of the employer in connection with the employee's employment. Consult the board attorney about these issues.

Issue 93, October 2016

DRAFT UPDATE

General Personnel

Family and Medical Leave

Leave Description

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

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

An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period.

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

While FMLA leave is normally unpaid, the District will substitute an employee's accrued compensatory time-off and/or paid leave for unpaid FMLA leave. All policies and rules regarding the use of paid leave apply when paid leave is substituted for unpaid FMLA leave. Any substitution of paid leave for unpaid FMLA leave will count against the employee's FMLA leave entitlement. Use of FMLA leave shall not preclude the use of other applicable unpaid leave that will extend the employee's leave beyond 12 weeks, provided that the use of FMLA leave shall not serve to extend such other unpaid leave. Any full workweek period during which the employee would not have been required to work, including summer break, winter break and spring break, is not counted against the employee's FMLA leave entitlement.

FMLA leave is available in one or more of the following instances:

1. The birth and first-year care of a son or daughter.
2. The adoption or foster placement of a son or daughter, including absences from work that are necessary for the adoption or foster care to proceed and expiring at the end of the 12-month period beginning on the placement date.
3. The serious health condition of an employee's spouse, child, or parent.
4. The employee's own serious health condition that makes the employee unable to perform the functions of his or her job.
5. The existence of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or has been notified of an impending call or order to active duty, as provided in federal rules.
6. To care for the employee's spouse, child, parent, or next of kin who is a covered servicemember with a serious injury or illness, as provided by federal rules.

If spouses are employed by the District, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above, or to care for a parent with a serious health condition, or a combined total of 26 weeks for item 6 above.

An employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with federal rules.

DRAFT UPDATE

Eligibility

To be eligible for FMLA leave, an employee must be employed at a worksite where at least 50 employees are employed within 75 miles. In addition, one of the following provisions must describe the employee:

1. The employee has been employed by the District for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. However, the District will not consider any period of previous employment that occurred more than ~~seven~~ years before the date of the most recent hiring, except when the service break is due to fulfillment of a covered service obligation under the employee's Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301, et seq., National Guard or Reserve military service or when a written agreement exists concerning the District's intention to rehire the employee.
2. The employee is a full-time classroom teacher.

Requesting Leave

If the need for the FMLA leave is foreseeable, an employee must provide the Superintendent or designee with at least 30 days' advance notice before the leave is to begin. If 30 days' advance notice is not practicable, the notice must be given as soon as practicable. The employee shall make a reasonable effort to schedule a planned medical treatment so as not to disrupt the District's operations, subject to the approval of the health care provider administering the treatment. The employee shall provide at least verbal notice sufficient to make the Superintendent or designee aware that he or she needs FMLA leave, and the anticipated timing and duration of the leave. Failure to give the required notice for a foreseeable leave may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

Certification

Within 15 calendar days after the Superintendent or designee makes a request for certification for a FMLA leave, an employee must provide one of the following:

1. When the leave is to care for the employee's covered family member with a serious health condition, the employee must provide a complete and sufficient certificate signed by the family member's health care provider.
2. When the leave is due to the employee's own serious health condition, the employee must provide a complete and sufficient certificate signed by the employee's health care provider.
3. When the leave is to care for a covered servicemember with a serious illness or injury, the employee must provide a complete and sufficient certificate signed by an authorized health care provider for the covered servicemember.
4. When the leave is because of a qualified exigency, the employee must provide: (a) a copy of the covered military member's active duty orders or other documentation issued by the military indicating that the military member is on active duty or call to active duty status, and the dates of the covered military member's active duty service, and (b) a statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which FMLA leave is requested.

The District may require an employee to obtain a second and third opinion at its expense when it has reason to doubt the validity of a medical certification.

The District may require recertification at reasonable intervals, but not more often than once every 30 days. Regardless of the length of time since the last request, the District may request recertification when the, (1) employee requests a leave extension, (2) circumstances described by the original

Comment [APowell1]: 1.
2. Terminology is updated to match new regulatory language.
3.
4. A service break due to fulfillment of covered service obligation is found in the *Glossary of Terms Used in FMLA* available at: webapps.dol.gov/elaws/whd/fmla/3.aspx?Glossary_Word=ELIGIBLE.
E.
Issue 93, October 2016

DRAFT UPDATE

certification change significantly, or (3) District receives information that casts doubt upon the continuing validity of the original certification. Recertification is at the employee's expense and must be provided to the District within 15 calendar days after the request. The District may request recertification every 6 months in connection with any absence by an employee needing an intermittent or reduced schedule leave for conditions with duration in excess of 6 months.

Failure to furnish a complete and sufficient certification on forms provided by the District may result in a denial of the leave request.

Continuation of Health Benefits

During FMLA leave, employees are entitled to continuation of health benefits that would have been provided if they were working. Any share of health plan premiums being paid by the employee before taking the leave, must continue to be paid by the employee during the FMLA leave. A District's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late and the District notifies the employee at least 15 days before coverage will cease.

Changed Circumstances and Intent to Return

An employee must provide the Superintendent or designee reasonable notice of changed circumstances (i.e., within 2 business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Superintendent or designee, taking into consideration all of the relevant facts and circumstances related to an individual's leave situation, may ask an employee who has been on FMLA leave for 8 consecutive weeks whether he or she intends to return to work.

Return to Work

If returning from FMLA leave occasioned by the employee's own serious health condition, the employee is required to obtain and present certification from the employee's health care provider that he or she is able to resume work.

An employee returning from FMLA leave will be given an equivalent position to his or her position before the leave, subject to: (1) permissible limitations the District may impose as provided in the FMLA or implementing regulations, and (2) the District's reassignment policies and practices.

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

Implementation

The Superintendent or designee shall ensure that: (1) all required notices and responses to leave requests are provided to employees in accordance with the FMLA; and (2) this policy is implemented in accordance with the FMLA. In the event of a conflict between the policy and the FMLA or its regulations, the latter shall control. The terms used in this policy shall be defined as in the FMLA regulations.

LEGAL REF.:	Family and Medical Leave Act, 29 U.S.C. §2601 <u>et seq.</u> , 29 C.F.R. Part 825.
CROSS REF.:	5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:310 (Compensatory Time-Off), 5:330 (Sick Days, Vacation, Holidays, and Leaves)
ADOPTED:	August 17, 2016

DRAFT UPDATE

Professional Personnel

Teacher Qualifications

A teacher, as the term is used in this policy, refers to a District employee who is required to be licensed under State law. The following qualifications apply:

1. Each teacher must:
 - a. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
 - b. Provide the District Office with a complete official transcript of credits earned in institutions of higher education.
 - c. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the District Office with an official transcript of any credits earned since the date the last transcript was filed.
 - d. Notify the Superintendent of any change in the teacher's transcript.
2. All teachers ~~working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and mathematics) must be highly qualified for those assignments as determined by State and federal law.~~

Comment [APowell1]:

Updated throughout to align with current teacher qualification requirements under ESEA, as amended by ESSA, and to delete former NCLB references that teachers be *highly qualified*.

Issue 93, October 2016

The Superintendent or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately licensed ~~and highly qualified for their assignments;~~
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers; and
3. Ensure parents/guardians of students in schools receiving Title I funds are notified: ~~(a) of their right to request their students' classroom teachers' professional qualifications, and (b) whenever their child is assigned to, or has been taught for 4 or more consecutive weeks by, a teacher who is not highly qualified.~~

LEGAL REF.: 20 U.S.C. §63192(c)(1)(A).
~~34 C.F.R. §200.55, 56, 57, and 61.~~
105 ILCS 5/10-20.15, 5/21-11.4, ~~5/21B-15, 5/21B-20, 5/21B-25, and 5/24-23.~~
23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

Comment [APowell2]:

Still exist but have not been updated yet to align with ESEA as amended by ESSA, and no notice of proposed rulemaking is pending. We will continue to cite them, if appropriate, and note the discrepancy in a footnote

Issue 93, October 2016

CROSS REF.: 6:170 (Title I Programs)

ADOPTED: August 13, 2014

DRAFT UPDATE

Prospect Heights School District 23

5:250

Professional Personnel

Leaves of Absence

Each of the provisions in this policy applies to all professional personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave, Personal Leave, Child-Rearing Leave, Leave for Service in the Military, Unpaid Leaves of Absence, Parental Leave, Association Leave, Other Extended Leaves

Please refer to the applicable collective bargaining agreement(s).

Child Bereavement Leave

State law allows a maximum of 10 unpaid work days for eligible employees (Family and Medical Leave Act of 1993, 20 U.S.C. §2601 et seq.) to take child bereavement leave. The purpose, requirements, scheduling, and all other terms of the leave are governed by the Child Bereavement Leave Act. Child bereavement leave allows for: (1) attendance by the bereaved staff member at the funeral or alternative to a funeral of his or her child, (2) making arrangements necessitated by the death of the staff member's child, or (3) grieving the death of the staff member's child, without any adverse employment action.

The leave must be completed within 60 days after the date on which the employee received notice of the death of his or her child. However, in the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of six weeks of bereavement leave during the 12-month period, subject to certain restrictions under State and federal law. Other existing forms of leave may be substituted for the leave provided in the Child Bereavement Leave Act. This policy does not create any right for an employee to take child bereavement leave that is inconsistent with the Child Bereavement Leave Act.

Sabbatical Leave

Sabbatical leave may be granted in accordance with the School Code.

General Assembly Leave

Leaves for service in the General Assembly, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in the General Assembly does not acquire tenure.

Leave for Employment in Department of Defense

The Board may grant teachers a leave of absence to accept employment in a Department of Defense overseas school.

School Visitation Leave

An eligible professional staff member is entitled to 8 hours during any school year, no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the teacher's child, if the conference or activity cannot be scheduled during non-work hours. Professional staff members must first use all accrued vacation leave, personal leave,

Comment [APowell1]:

Consult the board attorney about the Employee Sick Leave Act 820 ILCS 1917, added by P.A. 99-841, eff. 1-1-17. It prohibits employers from limiting the use of sick time to an employee's own illnesses and allows employees to use employer-provided sick leave to care for an ill or injured family member or to attend a medical appointment with a family member. The law defines family members as a child (biological, adopted, stepchild, or legal ward), spouse, domestic partner, sibling, parent, mother- or father-in-law, grandchild, grandparent, or stepparent (Id. at 191/10(b)). Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury.

Issue 93, October 2016

Comment [APowell2]:

820 ILCS 154/, added by P.A. 99-703 requires employers to offer this unpaid leave to employees that are eligible employees under FMLA. (29 U.S.C. 2601 et seq.)

The Act also provides that the leave must be completed within 60 days of the employee learning of the death of his or her child, as defined by 820 ILCS 154/, added by P.A. 99-703. However, that 60 day limitation does not apply where more than one child dies in a 12-month period. There may be times where an employer may want to grant more than 10 unpaid work days, e.g., when a deceased child lived in a foreign country, etc. Consult the board attorney to resolve the complexities of determining whether an employee is an eligible employee under the FMLA that would trigger this Act.

Issue 93, October 2016

5:250

Page 1 of 2

DRAFT UPDATE

compensatory leave, and any other leave that may be granted to the professional staff member, except sick, and disability leave.

The Superintendent shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act.

Leaves for Victims of Domestic or Sexual Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action.

The Victims' Economic Security and Safety Act governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, if the District employs at least 50 employees, an employee is entitled to a total of 12 work weeks of unpaid leave during any 12-month period. Neither the law nor this policy creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. §2601 *et seq.*).

Leaves to Serve as an Officer or Trustee of a Specific Organization

Upon request, the Board will grant: (1) an unpaid leave of absence to an elected officer of a State or national teacher organization that represents teachers in collective bargaining negotiations, (2) twenty days of paid leave of absence per year to a trustee of the Teachers' Retirement System in accordance with 105 ILCS 5/24-6.3, and (3) a paid leave of absence for the local association president of a State teacher association that is an exclusive bargaining agent in the District, or his or her designee, to attend meetings, workshops, or seminars as described in 105 ILCS 5/24-6.2.

Leave to Serve as an Election Judge

Any staff member who was appointed to serve as an election judge under State law may, after giving at least 20-days' written notice to the District, be absent without pay for the purpose of serving as an election judge. The staff member is not required to use any form of paid leave to serve as an election judge. No more than 10% of the District's employees may be absent to serve as election judges on the same election day.

LEGAL REF.: 10 ILCS 5/13-2.5
20 ILCS 1805/30.1 *et seq.*
820 ILCS 154/
105 ILCS 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.
820 ILCS 147/ and 180/.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:330 (Educational Support Personnel - Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: ~~July 13, 2016~~

DRAFT UPDATE

Prospect Heights School District 23

5:260

Professional Personnel

Student Teachers

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. No individual who has been convicted of a criminal offense listed in that would subject him or her to license suspension or revocation pursuant to Section 5/21B-80 of the School Code or who has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987 is permitted to student teach or complete field or other clinical experience.

Before permitting an individual to student teach or begin a required internship participate in any field experience in the District, the Superintendent or designee shall ensure that:

1. The District performed a 105 ILCS 5/10-21.9(g) complete criminal history records check as described below; and
2. The individual furnished evidence of physical fitness to perform assigned duties and freedom from communicable disease pursuant to 105 ILCS 5/24-5.

A 105 ILCS 5/21.9(g) complete criminal history records check pursuant to 105 ILCS 5/10-21.9 shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105, amended by 97-154).

The School Code requires each individual student teaching or beginning a required internship to must provide the District with written authorization for, and pay the costs of, his or her 105 ILCS 5/21.9(g) criminal history records check (including any applicable vendor's fees). Upon receipt of this authorization and payment, the Superintendent or designee will submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department of State Police, T, and the Superintendent or designee will provide each student teacher with a copy of his or her report.

Each student teacher must provide written authorization for, and pay the costs of, his or her criminal history records check (including any applicable vendor's fees), and the Superintendent or designee will provide each student teacher with a copy of his or her report.

Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities. A teacher may be eligible for Continuing Professional Development Units (CPDU) for supervising a student teacher or teacher education candidate in clinical supervision.

Comment [APowell1]:

P.A. 99-667 amended the School Code at 105 ILCS 5/10-21.9, 5/21B-15, and 5/21B-80(b) to carve out an exception allowing individuals with convictions involving certain drug offenses to obtain educator licensure or reinstate a license suspension/revocation seven years after the end of an individual's sentence for these certain drug offenses. See 5:30-AP2, *Investigations*, for a list of these carved-out drug offenses.

Issue 93, October 2016

Comment [APowell2]:

Updated to clarify School Code requirements for student teacher *complete criminal history records checks*. 105 ILCS 5/10-21.9(g) applies to individuals who will be student teachers or who are beginning a required internship.

PRESS subscriber feedback overwhelmingly prefers that "students doing field or clinical experience other than student teaching" *not* be in the sample default policy language.

OPTION: For boards that want to include students participating in any field or clinical experience, amend this phrase to state "Before permitting an individual to student teach, ~~or~~ begin a required internship, or participate in any field experience in the District, ..."

Issue 93, October 2016

Comment [APowell3]:

Repealed, eff. 12-27-13 (School Code provision, 105 ILCS 5/21-14) and eff. 6-30-14 (Administrative Code provision, 23 Ill. Admin. Code 25.875).

Issue 93, October 2016

5:260

Page 1 of 2

DRAFT UPDATE

LEGAL REF.: Adam Walsh Child Protection and Safety Act, P.L. 109-248.
Uniform Conviction Information Act, 20 ILCS 2635/1.
105 ILCS ~~5/10-21.9, 5/21-14(e)(3)(E)(viii), 5/10-22.34, and 5/24-5.~~
~~23 Ill. Admin. Code §25.875.~~

CROSS REF.: 5:190 (Teacher Qualifications), 4:175 (Convicted Child Sex Offender; ~~Criminal~~
~~Background Check and/or Screening~~; Notifications)

ADOPTED: ~~December 10, 2014~~

DRAFT UPDATE

Prospect Heights School District 23

5:280

Educational Support Personnel

Duties and Qualifications

All support staff: (1) must meet qualifications specified in job descriptions, (2) must be able to perform the essential tasks listed and/or assigned, and (3) are subject to Board of Education policies as they may be changed from time to time at the Board's sole discretion.

Paraprofessionals

Paraprofessionals provide supervised instructional support. Service as a paraprofessional requires an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE).

Individuals with only non-instructional duties (e.g., providing technical support for computers, providing personal care services, or performing clerical duties) are not paraprofessionals, and the requirements in this section do not apply. In addition, individuals completing their clinical experiences and/or student teaching do not need to comply with this section, provided their service otherwise complies with ISBE rules.

Noncertificated and Unlicensed Personnel Working with Students and Performing Non-Instructional Duties

Noncertificated and unlicensed personnel performing non-instructional duties may be used:

1. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (e.g., computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities;
2. As supervisors, chaperones, or sponsors for non-academic school activities; or
3. For non-teaching duties not requiring instructional judgment or student evaluation.

Nothing in this policy prevents a noncertificated person from serving as a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval.

Coaches and Athletic Trainers

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership. Regardless of whether the athletic activity is governed by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automated External Defibrillator user according to rules adopted by the Illinois Department of Public Health. Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers Practice Act, be an athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law.

Bus Drivers

All school bus drivers must have a valid school bus driver permit. The Superintendent or designee shall inform the Illinois Secretary of State, within 30 days of being informed by a school bus driver, that the bus driver permit holder has been called to active duty. New bus drivers and bus drivers who are returning from a lapse in their employment are subject to the requirements contained in Board policy 5:30, *Hiring Process and Criteria* and Board policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

5:280

Page 1 of 2

DRAFT UPDATE

LEGAL REF.: ~~No Child Left Behind Act of 2001, 20 U.S.C. §6319(c).~~
34 C.F.R. §§200.58 and 200.59.
105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.
625 ILCS 5/6-104 and 5/6-106.1.
23 Ill.Admin.Code §§1.630 and 25.510.

Comment [APowell1]:
Section 6319(c) of NCLB was repealed in its entirety by ESSA.
Issue 93, October 2016

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:35 (Compliance with the Fair Labor Standards Act), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Resource Persons and Volunteers)

ADOPTED: ~~August 13, 2014~~

DRAFT UPDATE

Educational Support Personnel

Sick Days, Vacation, Holidays, and Leaves

Each of the provisions in this policy applies to all educational support personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave, Association Leave, Other Extended Leaves of Absence, Unpaid Leaves of Absence

Please refer to the applicable collective bargaining agreement(s).

Parental Leave

Please refer to the applicable collective bargaining agreement(s).

Sick and Bereavement Leave

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

Full or part-time educational support personnel who work at least 600 hours per year receive 10 paid sick leave days per year. Part-time employees who work at least half-time are entitled to sick days on the same basis as full-time employees, but the pay will be based on the employee's average number of part-time hours per week. Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year. This policy is the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon a District employee's retirement under the Illinois Municipal Retirement Fund.

Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption. The Superintendent and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after 3 days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than 3 days for personal illness, the District shall pay the expenses incurred by the employee.

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.

Vacation

Please refer to the applicable collective bargaining agreement(s).

Comment [APowell1]:

Consult the board attorney about the Employee Sick Leave Act 820 ILCS 191/, added by P.A. 99-841, eff. 1-1-17. It prohibits employers from limiting the use of sick time to an employee's own illnesses and allows employees to use employer-provided sick leave to care for an ill or injured *family member* or to attend a medical appointment with a family member. The law defines family members as a child (biological, adopted, stepchild, or legal ward), spouse, domestic partner, sibling, parent, mother- or father-in-law, grandchild, grandparent, or stepparent (Id. at 191/10(b)). Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury.

Issue 93, October 2016

DRAFT UPDATE

For employees not covered by a current applicable bargaining agreement:

Twelve-month educational support professionals who are not members of the bargaining unit shall be entitled to paid vacation as follows:

<u>Length of Employment</u>	Duration of Vacation
<u>From: Beginning July 1 of</u>	
Years 1-4	10 Days
Year 5-9	15 Days
Years 10+	20 Days

Part-time twelve-month educational support professionals will receive a pre-rated allocation of vacation leave based upon the percentage of time they work. The educational support professional must have the authorization of the immediate supervisor prior to taking vacation leave. Vacation leave in excess of ten consecutive days requires the approval of the Superintendent.

Educational support professionals may carry over unused vacation days for use during the subsequent fiscal year July 1 – June 30. Unused vacation days from the current year which are not used in the next fiscal year will be forfeited; they do not accumulate.

In accordance with law, the Board will compensate the educational support professional for any unused vacation days upon termination of service to the district. The compensation will be at the salary rate prevailing at termination.

Holidays

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

Unless the District has a waiver or modification of the School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a holiday listed below, District employees will not be required to work on:

New Year's Day	Labor Day
Martin Luther King Jr.'s Birthday	Columbus Day
Abraham Lincoln's Birthday	Veteran's Day
Casimir Pulaski's Birthday	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	

A holiday will not cause a deduction from an employee's time or compensation. The District may require educational support personnel to work on a school holiday during an emergency or for the continued operation and maintenance of facilities or property.

Twelve-Month Employee Leave

Twelve-month educational support professionals who are not members of the bargaining unit will be annually entitled to fifteen (15) days of paid sick leave, three (3) days of personal leave and three (3) bereavement days. Annual unused sick leave and personal days will be added to the employee's accumulated total of paid sick leave; there will be no limit on the accumulated total.

Personal Leave

Please refer to the applicable collective bargaining agreement(s).

DRAFT UPDATE

Leave to Serve as a Trustee of the Illinois Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Illinois Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3.

Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Board policy 5:250, *Leaves of Absence*:

1. Leaves for Service in the Military and General Assembly.
2. School Visitation Leave.
3. Leaves for Victims of Domestic or Sexual Violence.
4. Child Bereavement Leave.
5. Leave to serve as an election judge.

LEGAL REF.: 20 ILCS 1805/30.1 et seq.
105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.
820 ILCS 147 and 180/
820 ILCS 154/
School Dist 151 v. ISBE, 507 N.E.2d 134 (Ill.App.1, 1987); Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (Ill.App.1, 1965).

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Professional Personnel - Leaves of Absence)

ADOPTED: July 13, 2016

Comment [APowell2]:

820 ILCS 154, added by P.A. 99-703 requires employers to offer this unpaid leave to employees that are *eligible employees* under FMLA. (29 U.S.C. 2601 et seq.)

See the Child Bereavement Leave subhead in policy 5:250, *Professional Personnel - Leaves of Absence*, for further information.

Issue 93, October 2016