



*River Trails* School District 26

## **Mission Statement**

Together, family, staff, and community inspire our diverse student population to develop the knowledge, skills, and character necessary to excel in an ever-changing world, while providing a safe and nurturing environment.

**River Trails School District 26**

**Policy Committee Meeting**

**Tuesday, June 19, 2018 6:00 PM**

**ESC, 1900 E. Kensington Road, Mount Prospect**

**RIVER TRAILS SCHOOL DISTRICT 26**  
**BOARD OF EDUCATION MEETING**  
**Tuesday, June 19, 2018**

A Policy Committee meeting of the Board of Education will be held at ESC, 1900 E. Kensington Road, Mount Prospect, on Tuesday, June 19, 2018, at 6:00 PM.

NOTE: This is an agenda only. Action may not be taken on all items appearing on this agenda.

***As a courtesy to everyone, the Board of Education requests that all cell phones and pagers be turned off during the meeting. Thank you.***

**AGENDA**

|   |    |
|---|----|
| I. Call To Order, Committee Chair   |    |
| II. Approve Minutes of April 3, 2018 (Action)   | 3  |
| III. Review Automatic Policy Changes (Discussion/Action)  | 4  |
| IV. Review Policy Changes Suggested by IASB (Discussion/Action)                                   | 5  |
| V. Review Policies Under a Five Year Review Without Suggested Changes by IASB (Discussion/Action) | 27 |
| VI. Review Policies Under a Five Year Review with Suggested Changes by IASB (Discussion/Action)   | 39 |
| VII. Visitor Comments (Information)   | 42 |
| VIII. Adjournment   | 43 |

River Trails School District 26 is subject to the requirements of the *Americans with Disabilities Act* of 1990, as well as Section 504 of the *Rehabilitation Act* of 1973. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to attend and/or participate, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact the Superintendent's office at (847) 297-4120.

**River Trails School District 26**  
**Policy Committee Minutes**  
**April 3, 2018 – Education Service Center**

**Call to Order**

The meeting was called to order at 6:30 p.m. by Mrs. Linder, Committee Chair

Members Present: Mrs. Linda Linder, Mrs. Donna Johnson, Mrs. Sue Stolzer

Members Absent:

Other Participants: Dr. Nancy Wagner, Superintendent

**II. Approve Minutes of February 6, 2018**

The Minutes of February 6, 2016 Policy Committee meeting was approved as presented.

**III. Reviewed Automatic Policy Changes (footnotes, references, citation only)**

Dr. Wagner briefly noted policies that were only footnotes, references or citations changes/updates. These changes happen automatically and do not require Board Action.

**IV. Review Policy Changes Suggested by IASB**

The below Policy changes were reviewed and discussed by the Committee members and Dr. Wagner. It was determined by the Policy Committee that these policies would be referenced in the Policy Committee section of the April 3, 2018 Board of Education Meeting with discussed additions and or changes for Board review.

| <b>Policy Updates (Press Packet 97)</b> |  |
|---|--|
| 2:260                                   | Uniform Grievance Procedure                      |
| 4:40                                    | Incurring Debt                                   |
| 5:20                                    | Workplace Harassment Prohibited                  |
| 5:20-E                                  | Resolution to Prohibit Sexual Harassment         |
| 5:200                                   | Terms and Conditions of Employment and Dismissal |

**V. Visitor Comments**

There were no visitor comments at this time.

**VI. Adjournment**

The Policy Committee adjourned at 6:46 p.m.

Approved By: \_\_\_\_\_  
Committee Chair

Approved On: \_\_\_\_\_

### **III. Review Automatic Policy Changes (footnotes, references, citations)**

Below are listed only the policies with no changes to language, only updates to footnote, legal reference and/or citation changes. Policies are not included as no language was changed. The Policy Numbers are included here for your information. They do not require Board approval and are automatically recorded for insertion into the District Policy Manual with the new CD.

- District 26 does not maintain most ISBE Exhibits or Administrative Procedures and those materials are excluded from this packet.

**PRESS Packet 98**

| <b>Policy No.</b> | <b>Policy Title</b> |
|-------------------|---------------------|
| N/A               | N/A                 |

## IV. Review Policy Changes Suggested by IASB

Listed below are policies with new updates, changes or information in response to changes in laws, rules or regulations. The materials for review are included. The superintendent will include his recommendation for the action to be taken in the right-hand column.

- District 26 does not maintain most ISBE Exhibits or Administrative Procedures and those materials are excluded from this packet. The district maintains a separate Administrative Procedures Manual.
- District Policy Manuals do not contain ISBE footnotes, therefore footnote changes are not included.
- Legal References and citation changes only are automatic, do not require Board approval and are automatically recorded for insertion into the District Policy Manual with the new CD.

The Policy Committee will discuss and determine a recommendation for the below policies for inclusion into the District 26 Policy Manual.

### PRESS Packet 98

| Policy No. | Policy Title   | Reason  | Recommended Action (C-A-D-N)* |
|------------|--|---|-------------------------------|
| 3:40-E     | Exhibit – Checklist for the Superintendent Employment Contract Negotiation Process | <b>NEW.</b> The exhibit is intended to serve as a resource to educate and guide the board through the superintendent employment contract negotiation process, encouraging both the board and superintendent to hire their own attorneys.  | <b>C</b>                      |
| 4:80       | Accounting and Audits  | The policy, footnotes, and Legal References are updated in response to ISBE best practice recommendations concerning the prevention of fraud, waste, and abuse in the administration of grants covered by GATA. A continuous improvement update is also made to a footnote to explain the mechanics of revolving funds. | <b>C</b>                      |
| 5:20       | Workplace Harassment Prohibited  | Dr. Wagner is requesting we add that harassment can occur electronically as well  | <b>A – District Addition</b>  |
| 6:135      | Accelerated Placement Program  | <b>NEW.</b> The policy is created in response to 105 ILCS 5/14A, amended by P.A. 100-421.   | <b>N</b>                      |
|            | OPTION:  | This statement matches the Board’s current educational philosophy and objectives.<br>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>  | <b>A</b>                      |

|       |  |   |   |
|-------|--|---|---|
|       | OPTION:  | This option permits, but does not require “procedures for annually informing the community at-large, including parents or guardian, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement.”<br><br>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>   |   |
|       | OPTION:  | This option is not required by the statute but it is a recommended best practice and aligns with sample policy 7:10, <i>Equal Educational Opportunities</i> .<br><br>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>  |   |
| 6:240 | Field Trips and Recreational Class Trips                                 | The policy, footnotes, and Cross References are updated. A reference to 4:140, <i>Waiver of Student Fees</i> , is added to the policy text. 4:140, <i>Waiver of Student Fees</i> , and 7:10, <i>Equal Educational Opportunities</i> , are added to the Cross References. A footnote is updated for continuous improvement. There are also District changes to the policy.                               | A |
| 6:250 | Community Resource Persons and Volunteers                                | The policy, footnotes, Legal References, and Cross References are updated. Changes to the text of the policy reflect a long-standing School Code provision that schools may use resources persons and volunteers for crisis intervention services. Statutes are added to the Legal References. 4:175, <i>Convicted Child Sex Offender; Screening; Notifications</i> , is added to the Cross References. | C |
| 7:50  | School Admissions and Student Transfers To and From Non-District Schools | The policy, footnotes, Legal References, and Cross References are updated in response to 105 ILCS 5/14A, amended by P.A. 100-421. ISBE special education rules are added to the Legal References. A Cross Reference to 6:135, <i>Accelerated Placement Program</i> , is added.  | C |

\* C = Place on Consent Agenda as is, A=Add Optional Language (indicate recommendation), D = Currently not in the Policy Manual and Do Not Include (requires NO Board consideration or action), N = New Policy (requires Readings and Board Action)

# Document Status: Draft Update - New

## 3:40-E Exhibit - Checklist for the Superintendent Employment Contract Negotiation Process

### New/Unpublished Section

**PRESSPlus1** The Board of Education hires and employs the Superintendent. The Superintendent shall be in charge of the administration of the schools under the direction of the Board, through its policies. See 105 ILCS 5/10-21.4 and 105 ILCS 5/10-16.7. As an effective employer, the Board must develop and maintain a productive relationship with the Superintendent. See IASB’s *Foundational Principles of Effective Governance*, **Principle 3. The board employs a superintendent**, at: [www.iasb.com/pdf/found\\_prin.pdf](http://www.iasb.com/pdf/found_prin.pdf).

The foundation for a productive employment relationship begins when the Board identifies the most qualified superintendent candidate (*successful superintendent candidate*) after an established interview process. The Board then extends an offer of employment to the successful superintendent candidate. The employment search process and resulting relationship should consist of mutual respect and a clear understanding of respective roles, responsibilities, and expectations. This relationship should begin with the Board’s policy, a thoughtfully crafted employment contract and job description, and procedures for communications and ongoing assessment. See *Principles* at: [www.iasb.com/pdf/found\\_prin.pdf](http://www.iasb.com/pdf/found_prin.pdf).

Below, the *Checklist for the Superintendent Employment Contract Negotiation Process (Checklist)* provides a column entitled **Superintendent Contract Term Considerations for the Board**. It lists common superintendent employment contract terms and points of consideration for boards to prepare for during the contract formation process. Another column entitled **Explanation, Special Considerations, and Resources** provides extra information about these common superintendent employment contract terms.

The *Checklist* is intended to serve as a resource to educate and guide the Board through the employment contract negotiation process with its successful superintendent candidate. Board members who are educated about the content within the *Checklist* are crucial to successful negotiation processes. An educated contract formation and negotiation process, along with a well-written contract and job description for the Superintendent, all set the foundation for mutual respect and a clear understanding of the Board and Superintendent’s respective roles, responsibilities, and expectations.

Prior to providing the successful superintendent candidate an offer for employment and contract for review, consideration, and negotiation, consult the Board Attorney about the *Checklist* and the scope of the terms the Board wishes to offer the successful superintendent candidate. The Board and the successful superintendent candidate should expect and encourage the other to seek the advice of their respective attorneys during the employment contract formation process.

Many attorneys agree and best practices suggest that boards and successful superintendent candidates work with their own separate attorneys in an amicable and cooperative manner to complete the employment contract negotiation process.

**Board Attorney.** Prior to providing any successful superintendent candidate with an offer for employment and a contract for review, consideration, and negotiation, best practices suggest consulting the Board Attorney about the *Checklist*. **Note:** Boards should view a successful superintendent candidate retraining his or her own attorney as a best practice (as opposed to a warning sign). Each party is beginning the employment relationship in a cooperative manner to set an appropriate foundation to the future working relationship.

### Power and Duties of the Superintendent

| Superintendent Contract Term Considerations for the Board | Explanation, Special Considerations, and Resources  |
|---|---|
| Duties  | <p>Does the Board enumerate the duties of the Superintendent in the employment contract?</p> <ol style="list-style-type: none"> <li>1. Are the statutory duties of the Superintendent listed?</li> <li>2. Has the Board incorporated policy references to the other duties related to the Superintendent’s employment?</li> </ol> <p>See 105 ILCS 5/10-21.4 and 105 ILCS 5/10-16.7.</p> |
| Full-time, Attention and Energy Clause                    | <p>How will the Board address outside activities of the Superintendent?</p> <ol style="list-style-type: none"> <li>1. How will the Board define <i>outside activities</i>?</li> <li>2. Will the Board restrict the Superintendent from engaging in outside activities during the term of the employment contract?</li> </ol>  |

|  |  |
|--|--|
|  | 3. Will the Board require approval/notification before the Superintendent engages in outside activities? |
|--|--|

**Employment and Compensation**

| <b>Superintendent Contract Term Considerations for the Board</b>   | <b>Explanation, Special Considerations, and Resources</b>   |
|--|---|
| Duration of Contract   | <p>A superintendent's employment contract may not exceed five years. If its duration is two to five years, the contract must reference goals and suspension of tenure.</p> <p>No performance-based contract shall be extended or rolled over prior to its scheduled expiration unless all the performance and improvement goals contained in the contract have been met. See 105 ILCS 5/10-23.8.</p> <p>If the duration is one year or less, then the contract need not reference goals or suspension of tenure.</p>  |
| Salary   | <p>Special Considerations for the Board may include:</p> <ol style="list-style-type: none"> <li>1. What is the estimated Board contribution to the Teachers' Retirement System (TRS) for any raises above six percent prior to retirement?</li> <li>2. What is the <i>cost shift</i> implication for the District if the Board offers or later agrees to a salary that is equal to or greater than the governor's statutory salary of \$177,412 (P.A. 100-23 now makes school districts responsible for paying the actuarial cost of the pension benefits earned on the portion of a TRS member's salary that exceeds \$177,412)?</li> <li>3. Do any administrative cost cap triggers exist (105 ILCS 5/17-1.5)?</li> </ol> <p>Items the Board may see the successful superintendent candidate request of it:</p> <ol style="list-style-type: none"> <li>1. A fixed salary for each year of the contract.</li> <li>2. A guaranteed minimum salary.</li> <li>3. Compensation increases.</li> </ol> |
| Teachers Retirement System (TRS) & Teacher Health Insurance (THIS) | <p>How does the Board want to address:</p> <ol style="list-style-type: none"> <li>1. Pension contributions (TRS-THIS)?</li> <li>2. Inclusion of salary and other compensation in the payment of TRS and THIS? Or, will TRS and THIS be in addition to salary and other compensation?</li> <li>3. Unforeseen pension reform issues?</li> </ol>   |

**Conditions of Employment**

| <b>Superintendent Contract Term Considerations for the Board</b> | <b>Explanation, Special Considerations, and Resources</b>  |
|--|--|
| Administrative License   | Does the Board want to require the successful superintendent candidate to guarantee that as the future Superintendent of the District, he or she has and will maintain the appropriate licensure throughout the employment contract?   |
| Criminal Background Check Law                                    | 105 ILCS 5/10-21.9. See also <b>PRESS</b> sample policy 5:30, <i>Hiring Process and Criteria</i> and the subhead entitled <b>Fingerprint-based Criminal History Records Information Check</b> in administrative procedure 5:30-AP2, <i>Investigations</i> .  |
|  | <p>Does the Board want to require additional background inquiries beyond the fingerprint-based criminal history records information check required by 105 ILCS 5/10-21.9 and discussed above? If yes, consult the Board Attorney and consider the following laws:</p> <p>15 U.S.C. § 1681 <i>et seq.</i>, Federal Fair Credit Reporting Act (FCRA), is a federal law that regulates the gathering and use of information about consumers by third party <i>consumer reporting agencies</i>, including credit information, criminal background, driving record, personal characteristics/reputation, etc. The law requires consumer reporting agencies to comply with certain procedural notice</p> |

|                             |  |
|-----------------------------|--|
| Other Background Check Laws | <p>requirements when gathering information from a consumer.</p> <p>820 ILCS 75/, Ill. Job Opportunities for Qualified Applicants Act, prohibits employers from inquiring about an applicant's criminal history until the application has been determined qualified and notified that he/she has been selected for an interview (<i>a/k/a ban the box law</i>).</p> <p>820 ILCS 55/, Ill. Right to Privacy in the Workplace Act, prohibits employers from:</p> <ol style="list-style-type: none"> <li>1. Requesting, coercing, or requiring any employee or prospective employee to provide a user name and password for any personal online account;</li> <li>2. Requesting, coercing, or requiring an employee or applicant to invite the employer to have access to that individual's personal online account; and</li> <li>3. Taking an adverse employment action against an individual (including refusal to hire) based on that individual's use of a lawful product off District property during nonworking hours, i.e., tobacco or alcohol.</li> </ol> <p>820 ILCS 70/, Ill. Employee Credit Privacy Act, prohibits employers from inquiring into an individual's credit history or taking action against an employee based such history unless a satisfactory credit history is a <i>bona fide occupational requirement</i>, which is further defined in the statute. The job descriptions of superintendents generally meet this standard because they: (1) describe a managerial position that involves direction of school districts; (2) include signatory power over more than \$100; and (3) involve having access to confidential and financial information. <b>Note:</b> Any one of these grounds alone is sufficient.</p> |
| Medical Examination         | <p>105 ILCS 5/24-5 requires new employees to submit evidence of physical fitness to perform assigned duties and freedom from communicable diseases.</p> <p>The ADA allows medical inquiries of current employees only when they are job-related and consistent with business necessity or part of a voluntary employee wellness program. 42 U.S.C. §12112(d)(4). Districts may deny jobs to individuals with disabilities who pose a direct threat to the health or safety of others in the workplace, provided that a reasonable accommodation would not either eliminate the risk or reduce it to an acceptable level. 42 U.S.C. §12113; 29 C.F.R. Part 1630.2(r).</p> <p>See also <b>PRESS</b> sample policy 5:30, <i>Hiring Process and Criteria</i>, specifically f/ns 16 and 17.</p>   |
| Tenure                      | <p>Suspension of Tenure</p> <p>With multi-year contracts and multi-year extensions, superintendents waive their rights to tenure in a school district, but no previously acquired tenure may be lost.</p> <p>Continued Tenure</p> <p>Superintendents serving multiple one year contracts may still accrue service toward and acquire tenure.</p> <p>See 105 ILCS 5/10-23.8 and the <i>Duration of Contract</i> row in the <b>Employment and Compensation</b> checkbox, above.</p>  |

**Evaluations and Goals**

| Superintendent Contract Term Considerations for the Board | Explanation, Special Considerations, and Resources   |
|---|--|
|   | <p>105 ILCS 5/10-23.8 requires each performance-based contract to include the goals and indicators of student performance and academic improvement determined and used by the Board to measure the performance and effectiveness of the Superintendent and other information as the Board may determine.</p> <p>Regarding its goals and indicators, has the Board:</p> <ol style="list-style-type: none"> <li>1. At minimum, addressed student performance and academic achievement (105 ILCS 5/10-23.8 states "and other information as the Board may determine")?</li> <li>2. Included them in the body of the employment contract? Or as an exhibit to it?</li> <li>3. Set them to be:</li> </ol> |

|  |  |
|--|--|
| <p>Board Goals and Indicators of Student Performance and Academic Achievement for the Superintendent</p> | <ul style="list-style-type: none"> <li>a. Measurable and achievable, i.e., are they within the Superintendent's control?</li> <li>b. Objective, subjective or a combination of both?</li> </ul> <p>4. Set a timeline for achievement, and if so is it on an:</p> <ul style="list-style-type: none"> <li>a. Annual basis?</li> <li>b. Prior to completion of the employment contract?</li> </ul> <p>5. Set them as procedural, substantive, or a combination of both?</p> <p>For more information about setting goals and indicators for superintendents regarding student performance and academic achievement, see:</p> <p>IASB's <i>Field Services Catalog</i> at:<br/> <a href="http://www.iasb.com/pdf/fieldservicecatalog.pdf">www.iasb.com/pdf/fieldservicecatalog.pdf</a>.</p> <p>Contact a Field Services Director regarding the following IASB workshops and/or offerings that may set the stage for boards to hold their superintendents accountable for district performance, including academic achievement:</p> <p><i>Setting District Goals and Direction</i> (leads a board and superintendent to develop their own district-language for specific measurable, and attainable goals and indicators)</p> <p><i>The Superintendent Evaluation Process</i> (describes an effective method of holding the superintendent accountable)</p> <p><i>The Board and its Superintendent</i> (workshop assisting a board in developing an effective relationship with its superintendent).</p>  |
| <p>Superintendent Evaluation</p>   | <p>Once the Board has developed its goals and indicators (as discussed immediately above), 105 ILCS 5/10-20, 5/10-23, and 5/10-23.8 require the Board to:</p> <ul style="list-style-type: none"> <li>1. "Direct, through policy, its superintendent in his or her charge of the administration of the school district;" and</li> <li>2. Evaluate the superintendent in his or her "administration of school board policies and his or her stewardship of the assets of the district."</li> </ul> <p>How will the Board evaluate the successful superintendent candidate upon its outlined goals and indicators?</p> <p>Does the Board state when it will evaluate the successful superintendent candidate upon the goals and indicators that it set? <b>Note:</b> Some districts do not consider the superintendent evaluation to be a <i>one-time event</i> and put an on-going process into place. Contrast other districts, which depending upon their preferences, generally find the best time of year to evaluate is in the winter or early springtime.</p> <p>Is the Board or the successful superintendent candidate responsible to trigger the components of the Superintendent's evaluation process?</p> <p>What evaluation instrument will be used? How will the evaluation be documented?</p> <p>Will an evaluation instrument be outlined by the Board in its employment contract with the successful superintendent candidate?</p> <p>Is the evaluation instrument the Board will use tied to its goals and indicators of student performance and academic improvement and other information as the Board may determine?</p> <p>For more information about best practices when planning for and evaluating the Superintendent, see:</p> <p><i>The Superintendent Evaluation Process</i> at: <a href="http://www.iasb.com/training/superintendent-evaluation-process.pdf">www.iasb.com/training/superintendent-evaluation-process.pdf</a>;</p> <p>IASB's <i>Foundational Principles of Effective Governance</i>, <b>Principle 3. The board employs a superintendent</b>, at: <a href="http://www.iasb.com/principles.cfm">www.iasb.com/principles.cfm</a>; stating "the board employs and evaluates one person — the superintendent — and holds that person accountable for district performance and compliance with written board policy".</p> |

Expenses and Benefits

| <b>Superintendent Contract Term Considerations for the Board</b>                   | <b>Explanation, Special Considerations, and Resources</b>  |
|--|--|
| Expenses   | <p>How will the Board address expenses in its employment contract negotiations with the successful superintendent candidate?</p> <p>Business</p> <ol style="list-style-type: none"> <li>1. What standard will the Board use, e.g., reasonable, itemized, etc.?</li> <li>2. Will the Board designate the Board President or another individual to review and/or approve the Superintendent's expenses?</li> </ol> <p>Transportation</p> <p>Will the Board reimburse travel? If yes, what types of travel will the board reimburse? Some transportation topics that successful superintendent candidates request discussion about include:</p> <ol style="list-style-type: none"> <li>1. Vehicle insurance reimbursement(s)</li> <li>2. Vehicle repair reimbursement(s)</li> <li>3. A travel allowance only at either a set amount or the District's per mile rate</li> <li>4. A vehicle</li> <li>5. Out-of-district travel</li> </ol> |
| Insurance  | <p>Will the Board address insurance in its employment contract negotiations with the successful superintendent candidate?</p> <p>Some items successful superintendent candidates request include:</p> <ol style="list-style-type: none"> <li>1. Insurance contributions as part of a Cafeteria Plan, or in the alternative, the Board paying the premiums.</li> <li>2. Specific insurance coverages from the Board, such as health, dental, vision, life, disability, etc.</li> </ol>  |
| Vacation   | <p>Will the Board address vacation days in its employment contract negotiations with the successful superintendent candidate? If yes, then:</p> <ol style="list-style-type: none"> <li>1. How many days?</li> <li>2. Will vacation days accumulate? And, if so, how?</li> <li>3. Will the Board designate itself, the Board President, or a Board officer to approve or receive notification from the Superintendent prior to taking a vacation? If yes, describe the process.</li> <li>4. Will the Board address reimbursement for unused days?</li> </ol>  |
| Sick Leave/Days  | <p>Will the Board address sick days in its employment contract negotiations with the successful superintendent candidate? If yes, then:</p> <ol style="list-style-type: none"> <li>1. Will sick leave be limited to annual sick leave days in the District's teachers' contract?</li> <li>2. How will sick day accumulation be addressed?</li> <li>3. Will the Board designate itself, the Board President, or a Board officer to approve or receive notification from the Superintendent prior to taking or upon returning from a sick day? If yes, describe the process.</li> </ol>  |
| Professional Activities and Organizations   Memberships in Community Organizations | <p>Will the Board address memberships in professional activities/organizations and/or community organizations its employment contract negotiations with the successful superintendent candidate? If yes, then:</p> <ol style="list-style-type: none"> <li>1. How many organizations will the Board allow the Superintendent to join?</li> <li>2. Which organizations will be allowed?</li> <li>3. What is the Board's limit for the cost of dues to professional organizations?</li> </ol>   |
|  | <p>Will the Board address any type of payment(s) upon the Superintendent's retirement? If yes, then:</p>   |

|   |  |
|---|--|
| Retirement                                | <ol style="list-style-type: none"> <li>1. Has the Board thoroughly examined and addressed:             <ol style="list-style-type: none"> <li>a. Any consequences or other penalties to it?</li> <li>b. The impact of any prior salary increases?</li> <li>c. Potential pension reform issues?</li> </ol> </li> <li>2. Often, a successful superintendent candidate's attorney has interest in the following issues:             <ol style="list-style-type: none"> <li>a. Available post-retirement options available, e.g., payments for sick/vacation days, post-retirement insurance, longevity annuity payment, etc.</li> <li>b. Whether a potential retirement payment will be properly creditable for TRS purposes.<br/> <b>Note:</b> Ultimately, only TRS has the authority to determine creditability.</li> </ol> </li> </ol> |
| Annuities and Other Deferred Compensation | <p>Will the Board address any type of annuities and other deferred compensation issues? If yes, then:</p> <ol style="list-style-type: none"> <li>1. Will it offer such compensation in addition to the Superintendent's agreed-upon salary?</li> <li>2. Will it contribute creditable earnings for TRS purposes?</li> </ol>  |

**Changes to the Superintendent's Employment Contract**

| <b>Superintendent Contract Term Considerations for the Board</b> | <b>Explanation, Special Considerations, and Resources</b>   |
|--|---|
| Non-Renewal at End of Contract                                   | <p>How will the Board and successful superintendent candidate agree to address orderly end to the employment contract when the Board chooses not to renew it?</p> <ol style="list-style-type: none"> <li>1. Will there be a non-renewal notification date? Do both parties' attorneys find it reasonable?</li> <li>2. Will the Board require the Superintendent to remind it of the non-renewal date?</li> <li>3. Will there be any agreement to a clause for an automatic one-year renewal if the Board fails to provide end-of-contract non-renewal notification?</li> <li>4. Will the Board agree to language in the employment contract that would provide the Superintendent with a hearing upon non-renewal?</li> </ol>   |
| Renewal at End of Contract                                       | <p>Will the Board agree to a procedure for renewing the employment contract at its end? If yes, then:</p> <ol style="list-style-type: none"> <li>1. What date would be the earliest that the Board could renew its employment contract with the Superintendent?</li> <li>2. What criteria will the Board base its renewal upon? For example, some boards base renewal upon superintendents achieving their stated goals and indicators of student performance and academic improvement and other information they required.</li> </ol>  |
| Contract Extensions  | <p>Will the Board agree to allow for an extension of its employment contract during its term? If yes, then:</p> <ol style="list-style-type: none"> <li>1. Will the Board agree to extend it during its term if the Board determines that the Superintendent successfully met all of the Board's stated goals and indicators of student performance and academic improvement and other information it required?</li> <li>2. Will the Board agree to extend a one-year contract when the Superintendent is not required to meet any goals?</li> </ol> <p>See 105 ILCS 5/10-23.8.</p>  |
|  | <p>If the successful superintendent candidate accepts employment with the Board and becomes the Superintendent, how will the Board outline the grounds and procedures for terminating the Superintendent's employment during the contract's term?</p> <ol style="list-style-type: none"> <li>1. Will the Board and the successful superintendent candidate agree to terminate it upon mutual agreement?</li> <li>2. Will the Board allow retirement to be an appropriate reason for terminating its employment contract with the Superintendent? And if so, will the Board require reasonable notice from its Superintendent?</li> <li>3. Could either the Board or Superintendent terminate the employment contract without cause by providing notice to the other?</li> </ol> |

|                    |  |
|--------------------|--|
| Terminations       | <p>4. Will the Board terminate the employment contract for permanent disability of the Superintendent?</p> <ol style="list-style-type: none"> <li>How will the Board define permanent disability in the contract?</li> <li>Will the Board require the Superintendent to obtain a permanent disability determination through physician certification, and/or</li> <li>Will the Board consider duration of absence; e.g., 90-days or exhaustion of sick leave, whichever is greater?</li> </ol> <p>See <b>PRESS</b> sample policy 5:180, <i>Temporary Illness or Temporary Incapacity</i>.</p> <p>5. What standard will the Board use to terminate the employment contract for cause? Items to consider include:</p> <ol style="list-style-type: none"> <li>Any conduct detrimental/prejudicial to the District;</li> <li>Just cause;</li> <li>Sufficient to dismiss a tenured teacher;</li> <li>Material breach of contract; or</li> <li>Not arbitrary and capricious.</li> </ol> <p>6. Will the Board agree to provisions for hearing and due process for the Superintendent?</p> <p>7. How will the Board address death of its Superintendent during the duration of the employment contract?</p> |
| Liquidated Damages | <p>Will the Board agree to liquidate damages with its Superintendent if one or the other terminates the employment contract?</p> <ol style="list-style-type: none"> <li>Have both the Board and the successful superintendent candidate discussed the practical consequences of a liquidated damages clause with their respective attorneys?</li> <li>If the Board terminates the contract, has it discussed with the Board Attorney how it can avoid litigation with its former Superintendent?</li> </ol>  |
| Amendments         | How will the Board and Superintendent agree to allow for amendments to the employment contract?  |

**What technical clauses need to be in the Superintendent’s employment contract?**

| <b>Superintendent Contract Term Considerations for the Board</b> | <b>Explanation, Special Considerations, and Resources</b>   |
|--|---|
| Technical clauses (common in contracts)                          | <p>If the employment contract contains any of the following technical provisions, have the Board Attorney and Superintendent’s attorney reviewed them?</p> <ol style="list-style-type: none"> <li>Notice</li> <li>Applicable law</li> <li>Headings and numbers</li> <li>Complete understanding, i.e., do the Board members and Superintendent share the same understanding of the various provisions written in the employment contract?</li> <li>Counterparts</li> <li>Effect of Policy Amendments</li> <li>Severability</li> <li>Advice of Counsel</li> </ol> |

**Miscellaneous Issues**

| <b>Superintendent Contract Term Considerations for the Board</b> | <b>Explanation, Special Considerations, and Resources</b>   |
|--|---|
|  | Do all members of the Board understand the District’s obligations under the employment contract and |

|   |   |
|---|---|
| Board Obligations Under the Employment Contract                 | <p>what not complying with them will mean to the District?</p> <p>Specifically, are Board members aware of the Board's specific obligations regarding:</p> <ol style="list-style-type: none"> <li>1. The Superintendent Evaluation</li> <li>2. Goal setting</li> <li>3. Required notifications/actions by each party prior to termination of the employment contract</li> </ol> |
| Ongoing Monitoring of Each Party's Compliance with the Contract | Are the Board and Superintendent actually complying with the terms of the employment contract? Has the Board Attorney explained how the Board should monitor compliance with the employment contract?   |
| Legislative Issues  | How might pending pension reform legislation or other trending legislation affect the employment contract?  |

**PRESSPlus Comments**

PRESSPlus 1. This new exhibit is intended to serve as a resource to educate and guide the board through the superintendent employment contract negotiation process, encouraging both the board and superintendent to hire their own attorneys. The General Counsels of the Ill. Association of School Administrators (IASA) and Ill. Association of School Boards (IASB) collaborated on the content of this document. **Issue 98, May/June, 2018**

## Document Status: Draft Update

### OPERATIONAL SERVICES

#### **4:80 Accounting and Audits**

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 (ISBE), 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

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 appropriate Intermediate Service Center.

#### Annual Financial Report

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

#### Inventories

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

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

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

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 ISBE 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.

#### Control Requirements for Checks

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

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, waste, and abuse, as well as employee error, misrepresentation by third parties, or other imprudent employee action. [PRESSPlus1](#)

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.

#### LEGAL REF.:

2 C.F.R. §200 et seq.

30 ILCS 708/, Grant Accountability and Transparency Act, implemented by 44 Ill.Admin.Code 7000 et seq.

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)

ADOPTED: January 17, 2012

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#### **PRESSPlus Comments**

PRESSPlus 1. Updated in response to ISBE best practice recommendations concerning the prevention of fraud, waste, and abuse in the administration of grants covered by the Grant Accountability and Transparency Act (GATA), 30 ILCS 708/. **Issue 98, May/June, 2018**

## Document Status: Draft Update – District

### General Personnel

#### 5:20 Workplace Harassment Prohibited

The School District expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual's race, religion, national origin, sex, sexual orientation, age, citizenship status, disability, or other protected status identified in Board policy 5:10, Equal Employment Opportunity and Minority Recruitment. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Board policy 7:20, Harassment of Students Prohibited.

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

#### Sexual Harassment Prohibited [PRESSPlus1](#)

The School District shall provide a workplace environment free of ~~unwelcome sexual advances, requests for sexual favors, and other verbal, or physical, or other conduct~~, or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law.

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment prohibited by this policy includes, but is not limited to, verbal, ~~or physical, or other~~ conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

#### Bullying, Intimidating, and Harassment

Bullying, intimidation, and harassment diminish a school's ability to educate. Preventing these disruptive behaviors and providing all staff equal access to a safe, non-hostile learning environment are important District goals.

Bullying or hostility towards any staff member from a parent or citizen shall not be tolerated. Bullying on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristic, or any other distinguishing characteristic is prohibited in each of the following situations:

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information via email, on social media or through voice mail.
- ?4. From other staff, families, community members, contractors or students.

#### Making a Complaint ~~Enforcement~~ [PRESSPlus2](#)

~~A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge. An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, Uniform Grievance Procedure).~~

Employees are encouraged to promptly report information regarding violations of this policy. Employees may choose to report to a person of the employee's same gender. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Aggrieved ~~employees~~ ~~persons~~, ~~who~~ if they feel comfortable doing so, should directly inform the person engaging in the harassing

conduct or communication that such conduct or communication is offensive and must stop.

Employees should report claims of harassment to the Nondiscrimination Coordinator and/or use the Board policy 2:260, Uniform Grievance Procedure. Employees may choose to report to a person of the employee's same sex. There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Whom to Contact with a Report or Complaint [PRESSPlus3](#)

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager. Employees may also report claims using Board policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy 5:20, *Workplace Harassment Prohibited*

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

**Nondiscrimination Coordinator:**

Name:

Miriam Cutler, Asst. Supt. for Special Services

Address:

1900 Kensington Rd., Mr. Prospect, IL 60056

Email:

[mcutler@rtsd26.org](mailto:mcutler@rtsd26.org)

Telephone:

847-297-4120

**Complaint Managers:**

Name:

Matthew Silverman, Asst. Supt. for Curriculum & Instruction

Address:

1900 Kensington Rd., Mr. Prospect, IL 60056

Email:

[msilverman@rtsd26.org](mailto:msilverman@rtsd26.org)

Telephone:

847-297-4120

Name:

Lyndl Schuster, Asst. Supt. for Business Services

Address:

1900 Kensington Rd., Mr. Prospect, IL 60056

Email:

[lschuster@rtsd26.org](mailto:lschuster@rtsd26.org)

Telephone:

847-297-4120

Complaints-Retaliation for Reporting Harassment

Any employee who believes s/he have been the subject of harassment or retaliation for complaining about harassment shall enjoy the protections afforded a whistleblower, or the protect set forth in the Illinois Whistleblower Act (740 ILCS 174/1 et seq.) Employees also have the right to file a charge of a civil rights violation with the Illinois Department of Human Rights Commission. Additional information is available at: <http://www.state.il.us/dhr>.

**To file a charge, contact:**

**For public hearing information, contact:**

|  |                                       |
|--|---------------------------------------|
| Illinois Department of Human Rights    | Illinois Human Rights Commission      |
| James R. Thompson Center               | James R. Thompson Center              |
| 100 West Randolph Street, Suite 10-100 | 100 West Randolph Street, Suite 5-100 |
| Chicago, Illinois 60601                | Chicago, Illinois 60601               |
| 312 811 6200                           | 312 811 6260                          |

|                    |  |
|--------------------|--|
| 312.263.1579 (TDD) |  |
|--------------------|--|

### Investigation Process

Supervisors, Building Principals, or administrators who receive a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. A supervisor or administrator who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment. The District shall investigate alleged workplace harassment when a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.

### Enforcement

A violation of this policy may result in discipline, up to and including discharge. A violation of this policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, i.e., vendor, parent, invitee, etc. Any employee **person** making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge.

### Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*), and whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/).

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

### Recourse to State and Federal Fair Employment Practice Agencies [PRESSPlus4](#)

The District encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U. S. Equal Employment Opportunity Commission.

The Superintendent shall also use reasonable measures to inform staff members and applicants of this policy, which shall include reprinting this policy in the appropriate handbooks.

LEGAL REF.: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq., implemented by 29 C.F.R. §1604.11.

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., implemented by 34 C.F.R. Part 106.

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

Ill. Human Rights Act, 775 ILCS 5/2-101(E), 5/2-102(D), 5/2-102(E-5), 5/5-102, and 5/5-102.2.

56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.

5 ILCS 430/70-5

Burlington Industries v. Ellerth, 524 U.S. 742 (1998).

Crawford v. Metro. Gov't of Nashville & Davidson County, 555 U.S. 271 (2009).

Faragher v. City of Boca Raton, 524 U.S. 775 (1998).

Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).

Harris v. Forklift Systems, 510 U.S. 17 (1993).

Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).

Oncale v. Sundown Offshore Services, 523 U.S. 75 (1998).

Porter v. Erie Foods International, Inc., 576 F.3d 629 (7th Cir. 2009).

Sangamon County Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

Vance v. Ball State University, 133 S. Ct. 2434 (2013).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 7:20 (Harassment of Students Prohibited)

ADOPTED: ~~February 20, 2018~~

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## **PRESSPlus Comments**

PRESSPlus 1. The State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a), amended by P.A. 100-554, requires school districts to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment by January 15, 2018. Though that date has passed, there are no penalties in the law for failing to pass the resolution by that date. The policy must include, at a minimum: (1) a prohibition on sexual harassment; (2) details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Ill. Dept. of Human Rights; (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the State Officials and Employees Ethics Act, the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/); and (4) the consequences of a violation of the prohibition on sexual harassment and the consequences for knowingly making a false report.

For more information, please see the footnotes available by logging into PRESS Online at [www.iasb.com](http://www.iasb.com). **Issue 97, January/February 2018**

PRESSPlus 2. School districts are not required to train employees regarding workplace harassment, including sexual harassment; however, it is best practice. For districts that wish to provide such trainings, best practices suggest annual trainings work best, including on applicable board policies and procedures, what constitutes workplace harassment, complaint and enforcement mechanisms, and employees' legal rights. **Issue 97, January/February 2018**

PRESSPlus 3. 5 ILCS 430/70-5(a), amended by P.A. 100-554, requires that a school board policy prohibiting sexual harassment include details for reporting an allegation of sexual harassment, including options for making a confidential report to a supervisor and an ethics officer. 5 ILCS 430/20-23 defines *ethics officers* as being designated by State agencies under the jurisdiction of the Executive Ethics Commission. School districts are not State agencies (5 ILCS 430/1-5) and do not have ethics officers; thus, this sample policy substitutes Complaint Manager for ethics officer. **Issue 97, January/February 2018**

PRESSPlus 4. 5 ILCS 430/70-5(a), amended by P.A. 100-554, (how an individual can report an allegation of sexual harassment, including options for making a confidential report to the Inspector General or the Ill. Dept. of Human Rights). This sample policy does not reference the Inspector General because the Inspector General does not have jurisdiction over public school districts (5 ILCS 430/1). **Issue 97, January/February 2018**

# Document Status: Draft Update - New

## 6:135 Accelerated Placement Program

### New/Unpublished Section

The District provides an Accelerated Placement Program (APP).<sup>PRESSPlus1</sup> The APP advances the District's goal of providing educational programs with opportunities for each student to develop to his or her maximum potential.<sup>PRESSPlus2</sup> The APP provides an educational setting with curriculum options usually reserved for students who are older or in higher grades than the student participating in the APP. APP options include, but may not be limited to: (a) accelerating a student in a single subject; (b) other grade-level acceleration; and (c) early entrance to kindergarten or first grade.<sup>PRESSPlus3</sup> Participation in the APP is open to all students who demonstrate high ability and who may benefit from accelerated placement. It is not limited to students who have been identified as gifted and talented. Eligibility to participate in the District's APP shall not be conditioned upon the protected classifications identified in Board policy 7:10, *Equal Educational Opportunities*, or any factor other than the student's identification as an accelerated learner.

The Superintendent or designee shall implement an APP that includes:

1. Decision-making processes that are fair, equitable, and involve multiple individuals, e.g. District administrators, teachers, and school support personnel, and a student's parent(s)/guardian(s);<sup>PRESSPlus4</sup>
2. Notification processes that notify a student's parent(s)/guardian(s) of a decision affecting a student's participation in the APP; and
3. Assessment processes that include multiple valid, reliable indicators.

The Superintendent or designee shall annually notify the community, parent(s)/guardian(s), students, and school personnel about the APP, the process for referring a student for possible evaluation for accelerated placement, and the methods used to determine whether a student is eligible for accelerated placement.<sup>PRESSPlus5</sup> Notification may: (a) include varied communication methods, such as student handbooks and District or school websites; and (b) be provided in multiple languages, as appropriate.<sup>PRESSPlus6</sup>

LEGAL REF.:

105 ILCS 5/14A.

CROSS REF.: 6:10 (Educational Philosophy and Objectives), 6:130 (Program for the Gifted), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

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### PRESSPlus Comments

PRESSPlus 1. State law requires this subject matter to be covered by policy and controls its content. 105 ILCS 5/14A, amended by P.A. 100-421, eff. 7-1-18 (the Accelerated Placement Act (APA)). See the footnotes available at PRESS Online for more information. **Issue 98, May/June 2018**

PRESSPlus 2. Optional. Ensure this statement matches the board's current educational philosophy and objectives; see Board policy 6:10, *Educational Philosophy and Objectives*. If edits are adopted, select **Adopted with Additional District Edits** as the Save Status, and edit as adopted by the Board. **Issue 98, May/June 2018**

PRESSPlus 3. Attorneys disagree whether the APA conflicts with 105 ILCS 5/10-20.12 The APA requires accelerated placement to include early entrance to kindergarten and early entrance to first grade. 105 ILCS 5/10-20.12 *permits* districts to offer early entrance to kindergarten or first grade "based upon an assessment of the student's readiness to attend school." 105 ILCS 5/10-20.12 also states that students may enter first grade early when they: (1) are assessed for readiness; (2) have attended a non-public preschool and continued their education at that school through kindergarten; (3) were taught in kindergarten by an appropriately certified teacher; and (4) will attain the age of 6 years on or before December 31. See also policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*. **Consult the board attorney for guidance. Issue 98, May/June 2018**

PRESSPlus 4. 105 ILCS 5/14A-32(a)(2), added by P.A. 100-421, eff. 7-1-18, requires that the accelerated placement policy include "a fair and equitable decision-making process that involves multiple persons and includes a student's parents or guardians" but does not specify what individuals are to be involved or limit those individuals to district employees. Amend this

listing to align with the local board's preference. If edits are adopted, select **Adopted with Additional District Edits** as the Save Status, and edit as adopted by the Board. **Issue 98, May/June 2018**

PRESSPlus 5. Optional. 105 ILCS 5/14A-32(b)(1) permits, but does not require "procedures for annually informing the community at-large, including parents or guardians, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement." If edits are adopted, select **Adopted with Additional District Edits** as the Save Status, and edit as adopted by the Board. **Issue 98, May/June 2018**

PRESSPlus 6. Optional. 105 ILCS 5/14A does not require this, but it is a recommended best practice and aligns with sample policy 7:10, *Equal Educational Opportunities*. If edits are adopted, select **Adopted with Additional District Edits** as the Save Status, and edit as adopted by the Board. **Issue 98, May/June 2018**

## Document Status: Draft Update

### INSTRUCTION

#### **6:240 Field Trips and Recreational Class Trips**

*Title has been updated. Original Title: Field Trips and Recreational Class Trips*

Field trips are permissible when the experiences are an integral part of the school curriculum and/or contribute to the District's educational goals.

All field trips must have the Superintendent or designee's prior approval, except that field trips beyond a 200-mile radius of the school or extending overnight must have the prior approval of the Board. The following factors are analyzed when determining whether to approve a field trip: educational value, student safety, parent concerns, heightened security alerts, and liability concerns. On all field trips, a bus fee set by the Superintendent or designee may be charged to help defray the transportation costs.

Parents/guardians of students: (1) shall be given the opportunity to consent to their child's participation in any field trip; and (2) are responsible for all entrance fees, food, lodging, or other costs, except that the District will pay such costs for students who qualify for a fee waiver under Board policy 4:140, *Waiver of Student Fees* ~~free or reduced school lunches~~. [PRESSPlus1](#) All non-participating students shall be provided an alternative experience. Any field trip may be cancelled without notice due to danger to students, staff, or chaperones. Monies deposited may be forfeited.

Privately arranged trips not approved by the Superintendent, including those led by District staff members, shall not be represented as or construed to be sponsored by the District or school. The District does not provide liability protection for privately arranged trips and is not responsible for any damages arising from them.

#### Recreational Class Trips

Recreational class trips are permissible provided they do not interfere with the District's educational goals. The provisions in this policy concerning field trips are also applicable to recreational class trips, except those regarding educational value.

LEGAL REF.:

105 ILCS 5/29-3.1.

CROSS REF.: 4:140 (Waiver of Student Fees), 6:10 (Educational Philosophy and Objectives), 7:10 (Equal Educational Opportunities), 7:270 (Administering Medicines to Students)

~~ADOPTED: September 3, 2013~~

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#### **PRESSPlus Comments**

PRESSPlus 1. Updated for continuous improvement. **Issue 98, May/June 2018**

## Document Status: Draft Update

### INSTRUCTION

#### 6:250 Community Resource Persons and Volunteers

The Board of Education encourages the use of resource persons and volunteers to: (1) increase students' educational attainment; (2) provide enrichment experiences for students; (3) increase the effective utilization of staff time and skills; (4) give more individual attention to students; and (5) promote greater community involvement.

Resource persons and volunteers may be used:

1. For non-teaching duties not requiring instructional judgment or evaluation of students;
2. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (such as computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities;
3. To assist with academic programs under a certificated teacher's immediate supervision;
4. To assist in times of violence or other traumatic incidents within the District by providing crisis intervention services to lessen the effects of emotional trauma on staff, students, and the community, provided the volunteer meets the qualifications established by the Ill. School Crisis Assistance Team Steering Committee; [PRESSPlus1](#)
5. As a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval; or
6. As supervisors, chaperones, or sponsors for non-academic school activities.

The Superintendent shall follow Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, to establish procedures for securing and screening resource persons and volunteers. A person who is a *sex offender*, as defined by the Sex Offender Registration Act, or a *violent offender against youth*, as defined in the ~~Child~~ Murderer and Violent Offender Against Youth Registration Act, or has otherwise been convicted of a felony, is prohibited from being a resource person or volunteer. All volunteer coaches must comply with the requirement to report hazing in policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.:

105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.

720 ILCS 5/12C-50.1, *Failure to Report Hazing*.

730 ILCS 150/1 *et seq.*, Sex Offender Registration Act.

730 ILCS 152/101 *et seq.*, Sex Offender Community Notification Law. ~~and~~

730 ILCS 154/75 *et seq.* ~~105~~, Murderer and Violent Offender Against Youth Community Notification Law.

730 ILCS 154/101 *et seq.*, Murderer and Violent Offender Against Youth Registration Act.

CROSS REF.:4:170 (Safety), 4:175 (*Convicted Child Sex Offender; Screening; Notifications*), 5:90 (*Abused and Neglected Child Reporting*), 5:280 (*Duties and Qualifications*), 8:30 (*Visitors to and Conduct on School Property*), 8:95 (*Parental Involvement*)

~~ADOPTED: March 19, 2014~~

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#### PRESSPlus Comments

PRESSPlus 1. Updated to reflect a long-standing School Code provision that schools may use resource persons and volunteers for crisis intervention services. **Issue 98, May/June 2018**

## Document Status: Draft Update

### STUDENTS

#### 7:50 School Admissions and Student Transfers To and From Non-District Schools

##### Age

To be eligible for admission, a child must be 5 years old on or before September 1 of that school term. Children who enter first grade must be 6 years of age on or before September 1 of that school year. **Based upon an assessment of a child's readiness to attend school, the District may permit him or her to attend school prior to these dates.** [PRESSPlus1](#) A child will also be allowed to attend first grade based upon an assessment of his or her readiness if he or she attended a non-public preschool, continued his or her education at that school through kindergarten, was taught in kindergarten by an appropriately licensed teacher, and will be 6 years old on or before December 31. A child with exceptional needs who qualifies for special education services is eligible for admission at 3 years of age. **Early entrance to kindergarten or first grade may also be available through Board policy 6:135, Accelerated Placement Program.** [PRESSPlus2](#)

##### Admission Procedure

All students must register for school each year on the dates and at the place designated by the Superintendent.

Parents/guardians of students enrolling in the District for the first time must present:

1. A certified copy of the student's birth certificate. If a birth certificate is not presented, the Superintendent or designee shall notify in writing the person enrolling the student that within 30 days he or she must provide a certified copy of the student's birth certificate. A student will be enrolled without a birth certificate. When a certified copy of the birth certificate is presented, the school shall promptly make a copy for its records, place the copy in the student's **temporary permanent** [PRESSPlus3](#) record, and return the **original certified copy** to the person enrolling the child. If a person enrolling a student fails to provide a certified copy of the student's birth certificate, the Building Principal shall immediately notify the local law enforcement agency and shall also notify the person enrolling the student in writing that, unless he or she complies within 10 days, the case shall be referred to the local law enforcement authority for investigation. If compliance is not obtained within that 10-day period, the Principal shall so refer the case. The Principal shall immediately report to the local law enforcement authority any material received pursuant to this paragraph that appears inaccurate or suspicious in form or content.
2. Proof of residence, as required by Board policy 7:60, *Residence*.
3. Proof of disease immunization or detection and the required physical examination, as required by State law and Board policy 7:100, *Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students*.

The individual enrolling a student shall be given the opportunity to voluntarily state whether the student has a parent or guardian who is a member of a branch of the U. S. Armed Forces and who is either deployed to active duty or expects to be deployed to active duty during the school year. Students who are children of active duty military personnel transferring will be allowed to enter: (a) the same grade level in which they studied at the school from which they transferred, if the transfer occurs during the District's school year, or (b) the grade level following the last grade completed.

##### Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required for enrollment. Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

##### Foster Care Students

The Superintendent will appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Illinois Department of Children and Family Services when enrolling in or changing schools.

##### Student Transfers To and From Non-District Schools

A student may transfer into or out of the District according to State law and procedures developed by the Superintendent or designee. A student seeking to transfer into the District must serve the entire term of any suspension or expulsion, imposed for any reason by any public or private school, in this or any other state, before being admitted into the School District.

LEGAL REF.:

8 U.S.C. §1101, Illegal Immigrant and Immigrant Responsibility Act of 1996.  
20 U.S.C. §1232, Family Educational Rights and Privacy Act.  
20 U.S.C. §1400 *et seq.*, Individuals With Disabilities Education Improvement Act.  
29 U.S.C. §794, Rehabilitation Act of 1973, Section 504.  
42 U.S.C. §11431 *et seq.*, McKinney-Vento Homeless Assistance Act.  
105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/26-1, 5/26-2, 5/27-8.1,  
105 ILCS 10/8.1, Ill. School Student Records Act.  
105 ILCS 45/, Education for Homeless Children Act.  
105 ILCS 70/, Educational Opportunity for Military Children Act.  
325 ILCS 50/, Missing Children Records Act.  
325 ILCS 55/, Missing Children Registration Law.  
410 ILCS 315/2e, Communicable Disease Prevention Act.  
20 Ill.Admin.Code Part 1290, Missing Person Birth Records and School Registration.

**23 Ill.Admin.Code Part 226, Special Education.**

23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.:4:110 (Transportation); 6:30 (Organization of Instruction), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping out of School and Graduation Incentives Program), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health, Eye and Dental Examinations, Immunizations, and Exclusion of Students), 7:340 (Student Records)

ADOPTED: January 3, 2017

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## **PRESSPlus Comments**

PRESSPlus 1. 105 ILCS 5/10-20.12. **Issue 98, May/June 2018**

PRESSPlus 2. 105 ILCS 5/14A-17, added by P.A. 100-421, eff. 7-1-18 (the Accelerated Placement Act (APA)). Attorneys disagree whether the APA conflicts with 105 ILCS 5/10-20.12. See **Comment PRESSPlus 3** in NEW policy 6:135, *Accelerated Placement Program* for a discussion about reconciling the APA and 105 ILCS 5/10-20.12. **Consult the board attorney for guidance.** Districts should consider implementing specific and objective criteria for early admissions and address such issues as who pays the costs for assessments, etc. Using this exception defeats the age requirement rules because it only relies upon a child's readiness, regardless of his or her age. **Issue 98, May/June 2018**

PRESSPlus 3. 23 Ill.Admin.Code §375.10 states that the *student permanent record* shall include basic identifying information, including the student's name, birth date and place, and gender, and evidence required under 325 ILCS 50/5(b)(1). **Issue 98, May/June 2018**

## V. Review Policies Under Five Year Review Without Suggested Changes by IASB

Listed below are policies which are available for a five-year review without updates or changes. The materials for review are included. The superintendent will include her recommendation for the action to be taken in the right-hand column.

- District 26 does not maintain most ISBE Exhibits or Administrative Procedures and those materials are excluded from this packet. The district maintains a separate Administrative Procedures Manual.
- District Policy Manuals do not contain ISBE footnotes, therefore footnote changes are not included.
- Legal References and citation changes only are automatic, do not require Board approval and are automatically recorded for insertion into the District Policy
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The Policy Committee will discuss and determine a recommendation for the below policies for inclusion into the District 26 Policy Manual.

### PRESS Packet 98 – 5 YR REVIEW Without Changes

|       |  |                               |  |
|-------|--|-------------------------------|--|
| 2:105 | Ethics and Gift Ban  | Five Year Review – no changes |  |
| 4:20  | Fund Balance   | Five Year Review – no changes |  |
| 4:140 | Waiver of Student Fees   | Five Year Review – no changes |  |
| 6:10  | Educational Philosophy and Objectives  | Five Year Review – no changes |  |
| 6:120 | Education of Children with Disabilities  | Five Year Review – no changes |  |
| 6:190 | Extracurricular and Co-Curricular Activities   | Five Year Review – no changes |  |
| 6:230 | Library Media Program  | Five Year Review – no changes |  |
| 8:25  | Advertising and Distributing Materials in School Provided by Non-School Related Entities | Five Year Review – no changes |  |

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

### SECTION 2 -BOARD OF EDUCATION

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

##### Prohibited Political Activity

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

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

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

##### Limitations on Receiving Gifts [PRESSPlus1](#)

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

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

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

(or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.

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

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

A Board member or employee, his or her spouse or an immediate family member living with the Board member or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

### Enforcement

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

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

### Definitions

Unless otherwise stated, all terms used in this policy have the definitions given in the State Officials and Employees Ethics Act, 5 ILCS 430/1-5.

"Political activity" means:

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

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

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

"Prohibited source" means any person or entity who:

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

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

LEGAL REF.:

5 ILCS 430/, State Officials and Employees Ethics Act.

10 ILCS 5/9-25.1, Election Interference Prohibition Act.

CROSS REF.:2:100 (Board Member Conflict of Interest), 4:60 (Purchases and Contracts), 5:120 (Employee Ethics; Conduct; and Conflict of Interest)

ADOPTED:March 4, 2014

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## PRESSPlus Comments

PRESSPlus 1. This policy is unchanged. A footnote is updated in response to 30 ILCS 708/, the Grant Accountability Transparency Act (GATA) and federal procurement standards, and the text is provided here for informational purposes.

5 ILCS 430/10-10 through 10-30 (Gift Ban); 30 ILCS 708/ (Grant Accountability Transparency Act (GATA)); and 2 C.F.R. §200.318(c)(1)(uniform federal procurement standards prohibit board members from soliciting or accepting gratuities, favors, or anything of monetary value from contractor performing work under a contract supported by a federal grant award). GATA adopts the uniform federal rules for State agencies' administration of eligible State and federal grants.

Generally, 2 C.F.R. §200.318(c)(1) prohibits employees, officers, or agents of a school district from participating in the selection, award, or administration of a contract supported by a federal award if they have a real or apparent *conflict of interest*. For more discussion on conflict of interest, see sample policy 2:100, *Board Member Conflict of Interest*. Specifically, 2 C.F.R. §200.318(c)(1) requires school districts to "set standards for situations in which the gift is an unsolicited item of nominal value (*standards*)," along with "disciplinary actions to be applied for violations (*disciplinary actions*)" without defining *nominal value*.

To avoid confusion and because 2 C.F.R. §200.318(c)(1) provides flexibility to school boards regarding setting *standards* and *disciplinary actions*, sample policy 2:100, *Board Member Conflict of Interest*, refers to this sample policy's subheads:

**Limitations on Receiving Gifts** in the Ethics Act at 5 ILCS 430/10-10 – 10-30 (for the federal regulation's *standards*), and **Enforcement** at 5 ILCS 430/50-5 (discussing the specific penalties available under the Ill. Ethics Act for the federal regulation's *disciplinary actions*).

If a board wishes to develop further *standards* and *disciplinary actions* than the Gift Ban section of the SOEEA requires, consult the board attorney.

For further discussion, see the *Grant Accountability and Conflicts of Interest* section in the Ill. Council of School Attorneys' publication, **Answers to FAQs, Conflict of Interest and Incompatible Offices** at: [www.iasb.com/law/COI\\_FAQ.pdf](http://www.iasb.com/law/COI_FAQ.pdf).



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

### OPERATIONAL SERVICES

#### **4:20 Fund Balances**

The Superintendent or designee shall maintain fund balances adequate to ensure the District's ability to maintain levels of service and pay its obligations in a prompt manner in spite of unforeseen events or unexpected expenses. The Superintendent or designee shall inform the Board whenever it should discuss drawing upon its reserves or borrowing money.

CROSS REF.:4:10 (Fiscal and Business Management), 4:80 (Accounting and Audits)

ADOPTED:March 4, 2014

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

### OPERATIONAL SERVICES

#### **4:140 Waiver of Student Fees**

The Superintendent will recommend to the Board of Education a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay for the loss of or damage to school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education are waived for students who meet the eligibility criteria for a fee waiver as described in this policy. In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees, the Superintendent will recommend to the Board which additional fees, if any, the District will waive for students who meet the eligibility criteria for fee waiver. Students receiving a fee waiver are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

#### Notification

The Superintendent shall ensure that applications for fee waivers are widely available and distributed according to State law and ISBE rule and that provisions for assisting parents/guardians in completing the application are available.

#### Eligibility Criteria

A student shall be eligible for a fee waiver when the student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program.

The Superintendent or designee will give additional consideration upon request.

#### Verification

The Superintendent or designee shall establish a process for determining a student's eligibility for a waiver of fees in accordance with State law requirements. The Superintendent or designee may require family income verification at the time an individual applies for a fee waiver and anytime thereafter but not more often than once every 60 calendar days. The Superintendent or designee shall not use any information from this or any independent verification process to determine free or reduced-price meal eligibility.

If a student receiving a fee waiver is found to be no longer eligible during the school year, the Superintendent or designee shall notify the student's parent/guardian and charge the student the fee.

#### Determination and Appeal

Within 30 calendar days after the receipt of a waiver request, the Superintendent or designee shall mail a notice to the parent/guardian whenever a waiver request is denied. The denial notice shall include: (1) the reason for the denial, (2) the process and timelines for making an appeal, and (3) a statement that the parent/guardian may reapply for a waiver any time during the school year if circumstances change. If the denial is appealed, the District shall follow the procedures for the resolution of appeals as provided in the Illinois State Board of Education rule on waiver of fees.

LEGAL REF.:105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.

23 Ill.Admin.Code §1.245 [may contain unenforceable provisions].

CROSS REF.:4:130 (Free and Reduced-Price Food Services)

ADOPTED:September 3, 2013

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

### INSTRUCTION

#### **6:10 Educational Philosophy and Objectives**

The District's educational program will seek to provide an opportunity for each student to develop to his or her maximum potential. The objectives for the educational program are to:

1. Foster students' self-discovery, self-awareness, and self-discipline.
2. Develop students' awareness of and appreciation for cultural diversity.
3. Stimulate students' intellectual curiosity and growth.
4. Provide students with fundamental career concepts and skills.
5. Help students develop sensitivity to the needs and values of others and a respect for individual and group differences.
6. Help each student strive for excellence and instill a desire to reach the limit of his or her potential.
7. Encourage students to become life long learners.
8. Provide an educational climate and culture free of bias concerning the protected classifications identified in policy 7:10, *Equal Educational Opportunities*.

In order for the Board of Education to monitor whether the educational program is attaining these objectives and to be knowledgeable of current and future resource needs, the Superintendent shall prepare an annual report that includes:

1. A review and evaluation of the present curriculum.
2. A projection of curriculum and resource needs.
3. An evaluation of, and plan to eliminate, any bias in the curriculum or instructional materials and methods concerning the classifications referred to in item 8, above. Any plan for new or revised instructional program implementation.
4. A review of present and future facility needs.

CROSS REF:6:15 (School Accountability), 7:10 (Equal Educational Opportunities)

ADOPTED:February 3, 2009

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

### INSTRUCTION

#### **6:120 Education of Children with Disabilities**

The District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term "children with disabilities," as used in this policy, means children between ages 3 and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Illinois State Board of Education's *Special Education* rules, that special education services are needed.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the Illinois State Board of Education's *Special Education* rules. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), and representation by counsel, and a review procedure.

The District may maintain membership in one or more cooperative associations of school districts that shall assist the School District in fulfilling its obligations to the District's disabled students.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

LEGAL REF.:Americans With Disabilities Act, 42 U.S.C. §12101 et seq.

Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §1400 et seq.

Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794.

105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.

23 Ill.Admin.Code Part 226.

34 C.F.R. §300.

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

ADOPTED:March 4, 2014

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

### INSTRUCTION

#### **6:190 Extracurricular and Co-Curricular Activities**

Extracurricular or co-curricular activities are school-sponsored programs for which some or all of the activities are outside the instructional day. They do not include field trips, homework, or occasional work required outside the school day for a scheduled class. "Co-curricular activity" refers to an activity associated with the curriculum in a regular classroom and is generally required for class credit. "Extracurricular activity" refers to an activity that is not part of the curriculum, is not graded, does not offer credit, and does not take place during classroom time; it includes competitive interscholastic activities and clubs.

The Superintendent must approve an activity in order for it to be considered a District-sponsored extracurricular or co-curricular activity, using the following criteria:

1. The activity will contribute to the leadership abilities, social well-being, self-realization, good citizenship, or general growth of student-participants.
2. Fees assessed students are reasonable and do not exceed the actual cost of operation.
3. The District has sufficient financial resources for the activity.
4. Requests from students.
5. The activity will be supervised by a school-approved sponsor.

#### Academic Criteria for Participation

Students must satisfy all academic standards and must comply with the activity's rules and the student conduct code. For students in kindergarten through 8th grade, selection of members or participants is at the discretion of the teachers, sponsors, or coaches, provided that the selection criteria conform to the District's policies.

LEGAL REF.:105 ILCS 5/10-20.30 and 5/24-24.

CROSS REF.:4:170 (Safety), 7:10 (Equal Educational Opportunities), 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students), 7:240 (Conduct Code for Participants in Extracurricular Activities), 8:20 (Community Use of School Facilities)

ADOPTED:September 3, 2013

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

### INSTRUCTION

#### **6:230 Library Media Program**

The Superintendent or designee shall manage the District's library media program to comply with, (1) State law and Illinois State Board of Education rule, and (2) the following standards:

1. The program includes an organized collection of resources available to students and staff to supplement classroom instruction, foster reading for pleasure, enhance information literacy, and support research, as appropriate to students of all abilities in the grade levels served.
2. Financial resources for the program's resources and supplies are allocated to meet students' needs.
3. Students in all grades served have equitable access to library media resources.
4. The advice of an individual who is qualified according to ISBE rule is sought regarding the overall direction of the program, including the selection and organization of materials, provision of instruction in information and technology literacy, and structuring the work of library paraprofessionals.
5. Staff members are invited to recommend additions to the collection.
6. Students may freely select resource center materials as well as receive guided selection of materials appropriate to specific, planned learning experiences.

LEGAL REF:23 Ill.Admin.Code §1.420(o).

CROSS REF.:6:60 (Curriculum Content), 6:170 (Title I Programs), 6:210 (Instructional Materials)

ADOPTED:February 3, 2009

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

### COMMUNITY RELATIONS

#### **8:25 Advertising and Distributing Materials in Schools Provided by Non-School Related Entities**

No material or literature shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent. No material, literature, or advertisement shall be posted or distributed without advance approval as described in this policy.

##### Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Superintendent, advertise events pertinent to students' interests or involvement. All advertisements must (1) be student-oriented, (2) prominently display the sponsoring organization's name, and (3) be approved in advance by the Superintendent or designee. The District reserves the right to decide where and when any advertisement or flyer is distributed, displayed, or posted.

##### Companies and Political Candidates or Parties

Any political candidates, any organizations and/or companies of any kind are prohibited from advertising in schools, on the school grounds, or on school or District websites. No individual or group may wear, display or distribute political materials on school grounds.

LEGAL REF.: Berger v. Rensselaer Central School Corp., 982 F.2d 1160 (7th Cir. 1993), *cert. denied*, 113 S.Ct. 2344 (1993).

DiLoreto v. Downey Unified School Dist., 196 F.3d 958 (9th Cir. 1999).

Hedges v. Wauconda Community Unit School Dist., No. 118, 9 F.3d 1295 (7th Cir. 1993).

Lamb's Chapel v. Center Moriches Union Free School Dist., 113 S.Ct. 2141 (1993).

Sherman v. Community Consolidated School Dist. 21, 8 F.3d 1160 (7th Cir. 1993), *cert. denied*, 114 S.Ct. 2109 (1994).

Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), *cert. denied*, 132 S.Ct. 592 (2011).

CROSS REF.: 7:325 (Student Fundraising Activities)

ADOPTED: September 3, 2013

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## IV. Review of Five Year Review Policy Changes Suggested by IASB

Listed below are policies which have been updated in response to five-year reviews with new updates, changes or information in response to changes in laws, rules or regulations. The materials for review are included. The superintendent will include her recommendation for the action to be taken in the right-hand column.

- District 26 does not maintain most ISBE Exhibits or Administrative Procedures and those materials are excluded from this packet. The district maintains a separate Administrative Procedures Manual.
- District Policy Manuals do not contain ISBE footnotes, therefore footnote changes are not included.
- Legal References and citation changes only are automatic, do not require Board approval and are automatically recorded for insertion into the District Policy
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The Policy Committee will discuss and determine a recommendation for the below policies for inclusion into the District 26 Policy Manual.

### **PRESS Packet 98 – 5 YR REVIEW with Changes**

|      |                    |   |  |
|------|--------------------|---|--|
| 6:60 | Curriculum Content | It is required by law to offer students a unit of cursive instruction before completing grade 5. The law is silent about what grade level(s).   |  |
|      | OPTION:            | <p>Us the following alternative if the Board would like to specify in policy the grade level(s) before the end of grade 5 in which cursive instruction will be offered: “A unit of cursive instruction will be offered in grade(s) _____”</p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p> |  |

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

### INSTRUCTION

#### 6:60 Curriculum Content

The curriculum shall contain instruction on subjects required by State statute or regulation as follows:

1. In each grade, subjects include: (a) language arts, (b) reading, (c) other communication skills, (d) science, (e) mathematics, (f) social studies, (g) art, (h) music, and (i) drug and substance abuse prevention. A reading opportunity of 60 minutes per day will be promoted for all students in kindergarten through grade 3 whose reading levels are one grade level or more lower than their current grade level. Before the completion of grade 5, students will be offered at least one unit of cursive instruction. [PRESSPlus1](#)
2. In kindergarten through grade 8, provided it can be funded by private grants or the federal government, violence prevention and conflict resolution must be stressed, including: (a) causes of conflict, (b) consequences of violent behavior, (c) non-violent resolution, and (d) relationships between drugs, alcohol, and violence.
3. In grades kindergarten through 8, age-appropriate Internet safety must be taught, the scope of which shall be determined by the Superintendent or designee. The curriculum must incorporate policy 6:235, *Access to Electronic Networks* and, at a minimum, include: (a) education about appropriate online behavior, (b) interacting with other individuals on social networking websites and in chat rooms, and (c) cyberbullying awareness and response.
4. In grades 6 through 8, as well as in interscholastic athletic programs, steroid abuse prevention must be taught.
5. In all grades, character education must be taught including respect, responsibility, fairness, caring, trustworthiness, citizenship and bullying prevention, in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage. Instruction in all grades should include educating students about behaviors that violate Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.
6. In all schools, citizenship values must be taught, including: (a) patriotism, (b) democratic principles of freedom, justice, and equality, (c) proper use and display of the American flag, (d) the Pledge of Allegiance, and (e) the voting process.
7. In all grades, physical education must be taught including a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. Unless otherwise exempted, all students are required to engage in a physical education course with such frequency as determined by the Board after recommendation from the Superintendent, but at a minimum of three days per five-day week. For exemptions and substitutions, see policy 7:260, *Exemption from Physical Education*.
8. In all schools, health education must be stressed, including: (a) proper nutrition, (b) physical fitness, (c) components necessary to develop a sound mind in a healthy body, (d) dangers and avoidance of abduction, and (e) age-appropriate sexual abuse and assault awareness and prevention education in all grades. The Superintendent shall implement a comprehensive health education program in accordance with State law.
9. In all schools, career/vocational education must be taught, including: (a) the importance of work, (b) the development of basic skills to enter the world of work and/or continue formal education, (c) good work habits and values, (d) the relationship between learning and work, and (e) if possible, a student work program that provides the student with work experience as an extension of the regular classroom. A career awareness and exploration program must be available at all grade levels.
10. In all schools, conservation of natural resources must be taught, including: (a) home ecology, (b) endangered species, (c) threats to the environment, and (d) the importance of the environment to life as we know it.
11. In all schools, United States history must be taught, including: (a) the principles of representative government, (b) the Constitutions of the U.S. and Illinois, (c) the role of the U.S. in world affairs, (d) the role of labor unions, and (e) the role and contributions of ethnic groups, including but not limited to, the African Americans, Albanians, Asian Americans, Bohemians, Czechs, French, Germans, Hispanics (including the events related to the forceful removal and illegal deportation of Mexican-American U.S. citizens during the Great Depression), Hungarians, Irish, Italians, Lithuanians, Polish, Russians, Scots, and Slovaks in the history of this country and State.

In addition, all schools shall hold an educational program on the United States Constitution on Constitution Day, each September 17, commemorating the September 17, 1787 signing of the Constitution. However, when September 17 falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week.

12. In grade 7 and all high school courses concerning U.S. history or a combination of U.S. history and American government, students must view a Congressional Medal of Honor film made by the Congressional Medal of Honor Foundation, provided there is no cost for the film.
13. In all schools, the curriculum must include a unit of instruction on the Holocaust and crimes of genocide, including Nazi

atrocities of 1933-1945, Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan.

14. In all schools, the curriculum must include a unit of instruction on the history, struggles, and contributions of women.
15. In all schools, the curriculum must include a unit of instruction on Black History, including the history of the African slave trade, slavery in America, and the vestiges of slavery in this country, as well as the struggles and contributions of African-Americans.
16. In all schools, instruction during courses as determined by the Superintendent or designee on disability history, awareness, and the disability rights movement.

LEGAL REF.:

5 ILCS 465/3 and 465/3a.

20 ILCS 2605/2605-480.

105 ILCS 5/2-3.80(e) and (f), 5/27-3, 5/27-3.5, 5/27-5, 5/27-6, 5/27-6.5, 5/27-7, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-20.7, 5/27-21, 5/27-22, 5/27-23.3, 5/27-23.4, 5/27-23.7, 5/27-23.8, 5/27-23.10, 5/27-24.2, 435/, and 110/3.

625 ILCS 5/6-408.5.

23 Ill.Admin.Code §§1.420, 1.425, 1.430, and 1.440.

Consolidated Appropriations Act of 2005, Pub. L. No. 108-447, Section 111 of Division J.

Protecting Children in the 21<sup>st</sup> Century Act, Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008).

47 C.F.R. §54.520.

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:70 (Teaching About Religions), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment, 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:260 (Exemption from Physical Education)

ADOPTED: February 20, 2018

Question 1. Would the Board like to specify in policy the grade level(s) in which cursive instruction will be offered? If no, type no. If yes, indicate the grade level(s) in which cursive instruction will be offered. See Comment PRESSPlus 1 for more information.  
Answer:

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### PRESSPlus Comments

PRESSPlus 1. 105 ILCS 5/27-20.7, added by P.A. 100-548, eff. 7-1-18, requires districts to offer students a unit of cursive instruction before they complete grade 5, and to include this requirement in Board policy. Other than before completing grade 5, the law is silent about what grade level(s) in which students must receive their unit of cursive instruction. This provides an opportunity for a board to have a conversation with the superintendent about local community expectations and direct him or her to determine the appropriate grade level(s) in which students will be offered a unit of cursive instruction.

Use the following alternative if the board would like to specify in policy the grade level(s) before the end of grade 5 in which cursive instruction will be offered: "A unit of cursive instruction will be offered in grade(s) \_\_\_\_\_." See **Question 1** to indicate whether the Board would like to specify the grade level(s) in policy. **Issue 98, May/June 2018**

## **VII. VISITOR COMMENTS**

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The River Trails School District 26 Board of Education welcomes all residents to attend and participate in Board Committee Meetings. In an effort to keep Committee meetings to a reasonable length, we ask visitors to make all statements regarding Non-Action Items at this time. Please complete a Visitor's Card available on the sign-in table and submit it to the Committee President. It is requested that comments be kept at a reasonable length, three minutes or less.

However, those wishing to address an Agenda Item at the time of Board Action may do so by being recognized by the Committee President.

## **VII. ADJOURNMENT**

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There being no further business to come before the Committee and with the common consent of the Committee members, the Committee President will adjourn the Committee Meeting for Tuesday, June 19, 2018.