The Board of Education of La Harpe Community School District #347 held a regular School Board meeting 15 October 2024 in the Board room. President Detherage called the meeting to order at 6:00 PM. Roll Call was answered by Blythe, Collins, Deitrich, Gebhardt, Detherage, absent Allen, absent Walker. Superintendent Janet Gladu and Board Secretary Shelly Rahn, and Principal Ryan Hopper were also in attendance.

Visitors in attendance Liz McCarter, Chad Burt, Joy Pollock, Cathy Jones, Jay Jones, Hannah Moss, Lee Wibbell, Shasta Heidbreder, Alissa Tucker Architects Jason Shimp, Jacques Reynolds and Tim King from King's financial.

A Moment of Silence was observed.

Public Presentations: No public presentations.

Business Items:

The Approval of 15 October 2024 Regular Meeting Minutes

Financial Report:

Fund	FY2024
Education	$2,834,133.74
Building	$363,093.84
Debt Service	$302,007.95
Transportation	$170,752.22
IMRF	$141,286.80
Capital Projects	$0.00
Working Cash	$179,091.95
Tort	$188,626.31
Fire Prevention & Safety	$267,28563
Total	**$4,446,278.44**
Increase/Decrease from Prior Year	**11.44% increase**

FY 2024	$3,989,710.38
FY 2023	$3,255,648.28
FY 2022	$3,124,559.86
FY 2021	$2,498,538.23
FY 2020	$1,358,522.62

Consent Agenda: The Consent Agenda included the Closed and Open Minutes of the 15 October 2024 Regular Board Meeting and Financial Report, Individual fund balances, payment of bills, and Closed Session Records- deletion of items 18 months and older. Resignation of Kelly Sturek due to retirement effective January 2, 2025.

FY 2024 AFR (Annual Financial Report: The Audit was great. Our cash balances page 9 of the budget. Excluding Debt Services (Bonds) and including student activity accounts was $3,216,372. Our total cash balance for the year prior was:

	Audit Pg	23-24	22-23	21-22
Fund Balance (without bonds)	9	$3,216,372	$2,509,772	$2,310,239
Expenditures (without bonds)	9	$4,019,347	$4,101,436	$3,758,002
Financial Profile (0-4)	4	3.9 - recognition	3.9 - recognition	3.8 - recognition
Days Cash on Hand	4	319.84	240.35	233.46

Approval of the Agenda as Presented: Motion made by Collins and seconded by Blythe to approve the items on the Consent Agenda as presented. Roll Call: yes; Deitrich, yes; Detherage, yes; Gebhardt, yes; Collins, yes; Blythe. Motion carried 5-0.

Approval of Athletic Entrance fees: Motion made by Detherage and seconded by Collins to not charge La Harpe Students in grades 5-8 to come to home athletic/extracurricular events. Roll Call: yes; Collins, yes; Deitrich, yes; Gebhardt, yes; Blythe, yes; Detherage. Motion carried 5-0.

Athletic Co-Op with Dallas City: Board discussion was to have a meeting to discuss and workout issues and the current co-op agreement ends June 30, 2025. **No board actions.**

Architechnics Cost Comparison: Architects explained all the different items that would need to be done to old existing building for it to be up to code. He also explained that new construction would already have these things configured in. **No board actions.**

Architechnics Preliminary Floor/Site Plan & early cost estimate of new cafeteria/multi-purpose room: Discussion on all options. We looked at Option A, C and D. Board likes option C. The architects will be coming back to November board meeting with more information. Discussion only. **No board actions.**

Kings Financial: Tim King told everyone about himself and his business. He explained how the bond process works and also methods of sale, debt limitations, existing debt, EAV and rate history, financing options and bonding options. Informational. **No board actions.**

Playground equipment: The students were surveyed and asked what equipment the would like. We will table and discuss more. Discussion only. **No board actions.**

Operational Funds Balance Reduction Plan: This is a new requirement that took effect this year. We have to compare our operational costs (expenditures) over the last 3 years to our fund balances. If the ratio is greater than 2.5% we have to do a fund balance reduction plan. Our current ratio is 0.836%. **No board actions.**

2024 Tax Levy: This will be on November's agenda for approval. It's required to let the levy sit for at least 20 days before approval. It is due by the last Tuesday of December. Informational. The 2024 Tentative tax levy was presented. It is a 4.999% increase from 2023 tax levy. **No board actions.**

Approval for the Superintendent to seek Bus bids: Motion was made by Gebhardt and seconded by Collins to grant permission for the superintendent to seek bids on new passenger buses.
Roll Call: yes; Deitrich, yes; Gebhardt, yes; Blythe, yes; Detherage, yes; Collins. Motion carried 5-0.

Approval of Staff Christmas Gift: Motion made by Deitrich and seconded by Blythe to approve the annual staff Christmas gift of a ham and turkey. Roll Call: yes; Detherage, yes; Collins, yes; Deitrich, yes; Gebhardt, yes; Blythe. Motion carried 5-0.

Reports:

- Principal/Athletic Director/Transportation Director Things are going well. First quarter just ended and report cards are going home. Baseball went 8-8 and a good year. Seventh grade girls BKB is 7-2 and eight grade girls BKB is 6-3. Both are going very well. The BKB starts on Monday 10/21/2024. Things are going to get busy. Transportation is going well. Shelly and I are making sure everything goes as smoothly as possible.

- Superintendent: Presented to the board the team member for the month of September Madison Mershon. Presented a letter from the library board and also discussed the Veterans Day Program.

Motion to adjourn to closed session at 7:11pm to discuss items per 5 ILCS 120/2/(c)(1). The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District, (7) sale or purchase of securities, investments, or investment contracts and (14) closed session minutes.

Motion made by Collins and seconded by Detherage to adjourn to closed session. Roll Call: yes; Deitrich, yes; Gebhardt, yes; Blythe, yes; Detherage, yes; Collins. Motion carried 5-0.

Motion made by Detherage to call closed session to order at 7:21pm on 15 October 2024. In attendance Collins, Deitrich, Gebhardt, Blythe, Detherage, Superintendent Gladu and Principal Ryan Hopper.

Motion made by Deitrich and seconded by Detherage to adjourn closed session at 8:57 pm. Roll Call: yes; Gebhardt, yes; Blythe, yes; Detherage, yes; Collins, yes; Deitrich. Motion carried 5-0.

Motion made by Deitrich and seconded by Detherage to return to open session at 8:57pm. (voice vote).

Approval of the closed session minutes from 17 September 2024: Motion made by Blythe and seconded by Collins to approve the closed session minutes from 17 September 2024. Roll Call: yes; Deitrich, yes; Gebhardt, yes; Blythe, yes; Detherage, yes; Collins. Motion carried 5-0.

Adjournment: Motion to adjourn. (voice vote).

A motion was made by Blythe and seconded by Collins to adjourn the 15 October 2024 board meeting at 8:57 pm. (voice).

The next regularly stated meeting is scheduled for 19 November 2024 at 6:00 pm.

Board President	Board Secretary	Approved

Dallas Elementary School District #327 /La Harpe Community School District #347
Minutes of the Special Meeting of the Athletic Committee of the Board of Education
November 7, 2024 – 5:00 p.m.
Dallas City - Room 5

The meeting was called to order at 5:04 p.m.

Members answering roll were:

Erica Ferguson	Present
Hannah Moss	Present
Lee Wibbell	Present
Bill Collins	Absent
Dustin Detherage	Present
Josh Gebhardt	Absent

Also present were: Mrs. Tucker, Dr. Gladu, Krissy Altgilbers, Ryan Hopper and Chad B.

A moment of silence was observed.

The committee decided to make this meeting very informal so the agenda was not approved.

The committee decided to have 3 year for volleyball and 2 years for basketball but did not take a vote.

During the discussion the committee agreed to changing the following things in the agreement. These changes will need to be voted on at the next board meetings for each school

Proposed changes to the Coop Agreement include:
11. A. In sports with 5/6 grades and 7/8 grade teams that are administered separately (basketball and volleyball) any player ay only "move up" with approval from the ~~Principal~~ AD of ~~the hosting~~ both districts in consultation with the cooperating district ~~Principal~~ Administration, and if needed in consultation with the ~~Athletic Directors~~ Sports Coop Committee members. If players are needed tryouts will be held for athletes that want to move up. Tryouts are not open to spectators.

B. 4th grade will be included in the 5th grade programs ~~when participation numbers are low. 4th grade will NOT be allowed to participate in IESA sanctioned events~~.

The committee agreed to the following:
3 year volleyball agreement
2 more years on the co-op agreement

A motion was made by Detherage, seconded by Moss to adjourn at 5:58 p.m. (voice).

Motion Carried 4 Yeas

Dallas Elementary School District #327 /La Harpe Community School District #347
Special Meeting of the Athletic Committee of the Board of Education
Agenda
November 7, 2024 – 5:00 p.m.
Dallas City - Room 5

I. CALL TO ORDER
Meeting was called to order at 5:04 P.M.

II. ROLL CALL
Erica Ferguson P, Hannah Moss P, Lee Wibbell P,
Bill Collins A, Dustin Detherage P, Josh Gebhardt A,

Also present were: Chad B Tucker, Glinda, Kressy, Ryan

III. MOMENT OF SILENCE

IV. PUBLIC COMMENT

V. APPROVAL OF AGENDA

Moved by _____, seconded by _____ to approve the Agenda as presented/amended (roll call).

Erica ___, Hannah___, Lee___
Bill___, Dustin___, Josh___

Yea ____ Nay ____ Abstain ____ Absent ____

Motion Carried/Motion Failed

VI. APPROVAL OF IESA VOLLEYBALL AGREEEMENT- 3yr Volleyball · 2yr Basketball

Moved by _____, seconded by _____ to approve the IESA Volleyball Co-Op agreement as presented/amended (roll call).

Erica ___, Hannah___, Lee___
Bill___, Dustin___, Josh___

Yea ____ Nay ____ Abstain ____ Absent ____

Motion Carried/Motion Failed

VII. DISCUSSION OF THE DC/LH SPORTS COOPERATIVE AGREEMENT/ATHLETICS

- Possibly moving up 4th graders
- Split Sports - Boys / Girls - other options
- Tryouts First day

Minutes

VIII. ADJOURN

Moved by Dustn, seconded by Hannah to adjourn at 5:58 p.m./a.m. (voice).

Yea ____ Nay Ø Abstain Ø Absent Ø

LA HARPE COMMUNITY SCHOOL DISTRICT #347

STATEMENT OF POSITION

September 30, 2024

ASSETS	EDUCATION	BUILDING	DEBT SERV.	TRANSP.	I.M.R.F.	CAPITAL PROJECTS	WORKING CASH	TORT IMMUNITY	FIRE PREV & SAFETY
Cash in Bank	$150,973.82	$244,054.98	$298,894.60	$145,573.55	$128,790.07	$0.00	$179,091.95	$187,091.82	$258,215.23
Petty Cash	$350.00								
Change Fund/Elem-JRH	$350.00								
Imprest Fund	$5,000.00								
Property									
Loans to Education Fund									
Loan to Building Fund									
Loan to Transportation Fun									
Loan to IMRF Fund									
Loan to Fire & Prev.Fund									
IL Treas. Pool	$2,541,173.75	$84,287.00	$3,113.35	$37,871.30					
First State/Money Market									
TOTAL ASSETS	$2,697,847.57	$328,341.98	$302,007.95	$183,444.85	$128,790.07	$0.00	$179,091.95	$187,091.82	$258,215.23
LIABILITIES									
Anticipation Note									
Western Area Ins									
Teachers Retirement									
Payroll A/P									
INTERFUND PAYABLE									
Loan payable to Educ.									
Loan payable to Bldg.									
Loan payable to Transp.									
Loan payable to W. Cash									
TOTAL LIABILITIES	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
FUND BALANCE	$2,697,847.57	$328,341.98	$302,007.95	$183,444.85	$128,790.07	$0.00	$179,091.95	187,091.82	$258,215.23
								Grand Total	$4,264,831.42

Laura Jones 11-14-24

Laura Jones Date

LA HARPE COMMUNITY SCHOOL DISTRICT #347

TREASURER'S REPORT OCTOBER 31,2024

FUND	CASH BALANCES:NOW ACCOUNT				INVESTMENTS	
	Balance 9/30/2024	Receipts	Disbursements	Balance 10/31/2024		
EDUCATION	$875,219.44	($483,300.10)	$240,945.52	$150,973.82	$0.00 $2,541,173.75	F.STATE/M.MRKT. IL TREAS POOL
BUILDING	$278,806.84	$0.00	$34,751.86	$244,054.98	$0.00 $84,287.00	F.STATE/M.MRKT. IL TREAS POOL
DEBT SERVICE	$298,894.60	$0.00	$0.00	$298,894.60	$0.00 $3,113.35	F.STATE/M.MRKT. IL TREAS POOL
TRANSPORTATION	$59,886.89	$100,000.00	$14,313.34	$145,573.55	$0.00 $37,871.30	F.STATE/M.MRKT. IL TREAS POOL
IL MUNICIPAL RET.	$141,286.80	$0.00	$12,496.73	$128,790.07	$0.00 $0.00	F.STATE/M.MRKT. IL TREAS POOL
CAPITAL PROJECTS	$0.00	$0.00	$0.00	$0.00	$0.00	F.STATE/M.MRKT.
WORKING CASH	$179,091.95	$0.00	$0.00	$179,091.95	$0.00 $0.00	F.STATE/M.MRKT. IL TREAS POOL
TORT IMMUNITY FUND	$188,626.31	$0.00	$1,534.49	$187,091.82	$0.00 $0.00	F.STATE/M.MRKT. IL.TREAS.POOL
FIRE PREV & SAFETY	$267,285.63	$0.00	$9,070.40	$258,215.23	$0.00	IL. TREAS.POOL
CURRENT TOTAL	$2,289,098.46	($383,300.10)	$313,112.34	$1,592,686.02	$2,666,445.40	
INVESTMENTS				$2,666,445.40		
CASH & INVESTMENTS AS	10/31/2024			$4,259,131.42		

NOTES:	Daily Rate	Int./Month	Int./YTD
NOW Account	0.25%	$978.14	$3,386.99
Liquid Asset Treasurer's Pool	4.96%	$10,185.89	$37,343.95
First State/M.Market		$0.00	

Interest distributed to each FUND based on percentage invested

Karen Nudd 11-14-24

Karen Nudd Date

La Harp CSD 347 Revenue Report

Printed: 11/14/2024 10:46:44AM
Report as o /31/2024
La Harpe CSD 347

Education Fund 10

Source of Revenue 1000 General Levy

Account	Description	Revenue Budget	M.T.D. Revenue	Y.T.D. Revenue	Budget Balance Revenue	% of Budget	State Account Number
General Levy							
10-1110-01-1	EDUCATION-CURR.TAX LEVY	1,116,887.00	0.00	1,057,483.75	59,403.25	94.68	10-1110-01-1
10-1130-01-1	EDUCATION/LEASE LEVY	29,447.00	0.00	27,882.74	1,564.26	94.69	10-1130-01-1
10-1140-01-1	SPECIAL EDUC/LEVY	24,124.00	0.00	22,841.13	1,282.87	94.68	10-1140-01-1
10-1210-01-1	MOBILE HOME TAXES	400.00	0.00	0.00	400.00	0.00	10-1210-01-1
10-1230-1	CORP PERS PROP REPLACTAX	79,809.00	14,006.06	35,797.64	44,011.36	44.85	10-1230-1
10-1510-1	INTEREST ON INVESTMENTS	115,000.00	10,028.76	38,964.48	76,035.52	33.88	10-1510-1
10-1611-1	LUNCH SALES-PUPILS	1,000.00	143.40	1,534.10	(534.10)	153.41	10-1611-1
10-1711-4-1	ADMISSIONS- JRHBB	2,000.00	0.00	0.00	2,000.00	0.00	10-1711-4-1
10-1711-5-1	ADMISSIONS-JRHGB	2,000.00	0.00	0.00	2,000.00	0.00	10-1711-5-1
10-1711-6-1	ADMISSIONS-JRHGV	2,000.00	0.00	0.00	2,000.00	0.00	10-1711-6-1
10-1999-1	OTHER & JOHNSON ESTATE	170,000.00	197.86	8,889.60	161,110.40	5.23	10-1999-1
1000 General Levy		1,542,667.00	24,376.08	1,193,393.44	349,273.56	77.36	* Source of Revenue
Revenue From State Sources							
10-3001-1	GEN STATE AID	470,921.00	47,356.00	142,068.00	328,853.00	30.17	10-3001-1
10-3360-1	STATE FREE LUNCH	2,800.00	103.92	426.75	2,373.25	15.24	10-3360-1
10-3705-10	EARLY CHILDHOOD GRANT/2023-2024	10,078.00	0.00	10,078.00	0.00	100.00	10-3705-10
10-3705-11	EARLY CHILDHOOD GRANT/2024-2025	89,325.00	6,400.00	25,600.00	63,725.00	28.66	10-3705-11
10-3999-1	TEACHER VACANCY GRANT	193,658.00	(21,064.00)	(7,235.00)	200,893.00	-3.74	10-3999-1
3000 Revenue From State Sources		766,782.00	32,795.92	170,937.75	595,844.25	22.29	* Source of Revenue
Revenue From Federal Sources							
10-4210-1	FEDERAL LUNCH	124,000.00	10,871.36	18,276.32	105,723.68	14.74	10-4210-1
10-4220-1	FEDERAL BREAKFAST	40,500.00	5,062.35	8,208.84	32,291.16	20.27	10-4220-1
10-4300-14	TITLE I/2023-2024	0.00	0.00	7,138.00	(7,138.00)	0.00	10-4300-14
10-4300-15	TITLE I/2024-2025	61,472.00	6,389.00	13,547.00	47,925.00	22.04	10-4300-15
10-4331-2	TITLE I SCHOOL IMPROVBEMENT	109,192.00	663.00	86,175.00	23,017.00	78.92	10-4331-2
10-4399-1	REAP	40,600.00	0.00	14,390.00	26,210.00	35.44	10-4399-1
10-4400-1	TITLE IV/SAFE & DRUG FREE	10,000.00	879.00	2,459.00	7,541.00	24.59	10-4400-1
10-4600-1	IDEA PRESCHOOL/SUBGRANT-FLOW THROUGH	2,368.00	282.00	1,629.00	739.00	68.79	10-4600-1
10-4620-1	IDEA SPECIAL ED-FLOW THROUGH	58,620.00	775.00	14,323.00	44,297.00	24.43	10-4620-1
10-4930-1	TITLE II	8,259.00	0.00	0.00	8,259.00	0.00	10-4930-1
10-4932-1	TITLE II/TCH QUAL.	0.00	133.00	10,542.00	(10,542.00)	0.00	10-4932-1
10-4991-1	MEDICAID ADM OUTREACH	10,280.62	0.00	2,351.46	7,929.16	22.87	10-4991-1
10-4992-1	MEDICAID/FEE FOR SERVICE	455.38	0.00	0.00	455.38	0.00	10-4992-1
4000 Revenue From Federal Sources		465,747.00	25,054.71	179,039.62	286,707.38	38.44	* Source of Revenue
10 Education Fund		2,775,196.00	82,226.71	1,543,370.81	1,231,825.19	55.61	Fund
General Levy							
20-1111-01-1	BLDG/CURR.TAX LEVY	304,794.00	0.00	288,394.08	16,399.92	94.62	20-1111-01-1

La Harp CSD 347 Revenue Report

Report as o 0/31/2024

Printed: 11/14/2024 10:46:44AM
La Harpe CSD 347

Oper, Build, & Maint Fund 20
Source of Revenue 1000 General Levy

Account	Description	Revenue Budget	M.T.D. Revenue	Y.T.D. Revenue	Budget Balance Revenue	% of Budget	State Account Number
20-1210-01-1	MOBILE HOME TAXES	100.00	0.00	0.00	100.00	0.00	20-1210-01-1
20-1510-1	OBM-INT.ON INVENSTMENT	10.00	0.00	0.00	10.00	0.00	20-1510-1
20-1999-1	OBM/OTHER & JOHNSON EST.	255,000.00	0.00	0.00	255,000.00	0.00	20-1999-1
1000 General Levy		559,904.00	0.00	288,394.08	271,509.92	51.51	* Source of Revenue
Revenue From State Sources							
20-3001-1	GEN STATE AID	50,000.00	0.00	0.00	50,000.00	0.00	20-3001-1
20-3925-1	OBM/SCH INFRASTRUCTURE/MAINT PROJ	50,000.00	0.00	0.00	50,000.00	0.00	20-3925-1
3000 Revenue From State Sources		100,000.00	0.00	0.00	100,000.00	0.00	* Source of Revenue
20 Oper, Build, & Maint Fund		659,904.00	0.00	288,394.08	371,509.92	43.70	Fund
General Levy							
30-1112-01-1	DEBT SERVICE/CURR.TAX LEVY	223,680.00	0.00	211,781.23	11,898.77	94.68	30-1112-01-1
30-1210-01-1	MOBILE HOME TAXES	90.00	0.00	0.00	90.00	0.00	30-1210-01-1
30-1510-1	DEBT SERVICES/INT.ON INVEST	10.00	0.00	0.00	10.00	0.00	30-1510-1
1000 General Levy		223,780.00	0.00	211,781.23	11,998.77	94.64	* Source of Revenue
30 Debt Service Fund or Fund Group		223,780.00	0.00	211,781.23	11,998.77	94.64	Fund
General Levy							
40-1113-01-1	TRANSPORTATION/CURR.TAX LEVY	71,173.00	0.00	67,388.87	3,784.13	94.68	40-1113-01-1
40-1210-01-1	MOBILE HOME TAXES	25.00	0.00	0.00	25.00	0.00	40-1210-01-1
40-1510-1	TRANSP/INT. ON INVEST.	10.00	0.00	0.00	10.00	0.00	40-1510-1
40-1999-1	TRANSP./OTHER & JOHNSON	35,000.00	0.00	0.00	35,000.00	0.00	40-1999-1
1000 General Levy		106,208.00	0.00	67,388.87	38,819.13	63.45	* Source of Revenue
Revenue From State Sources							
40-3500-1	TRANSP.-REGULAR	86,500.00	10,337.58	10,337.58	76,162.42	11.95	40-3500-1
40-3510-1	TRANSP/SPEC ED	73,264.04	16,668.39	16,668.39	56,595.65	22.75	40-3510-1
3000 Revenue From State Sources		159,764.04	27,005.97	27,005.97	132,758.07	16.90	* Source of Revenue
40 Transportation Fund		265,972.04	27,005.97	94,394.84	171,577.20	35.49	Fund
General Levy							
50-1114-01-1	IMRF/CURR.TAX LEVY	73,060.00	0.00	69,175.45	3,884.55	94.68	50-1114-01-1
50-1150-01-1	FICA-MED.ONLY/CURR.TAX LEVY	63,538.00	0.00	60,159.42	3,378.58	94.68	50-1150-01-1
50-1210-01-1	MOBILE HOME TAXES	50.00	0.00	0.00	50.00	0.00	50-1210-01-1
50-1510-1	IMRF/INT.ON INVEST.	10.00	0.00	0.00	10.00	0.00	50-1510-1
1000 General Levy		136,658.00	0.00	129,334.87	7,323.13	94.64	* Source of Revenue
Revenue From State Sources							
50-3001-1	IMRF/SS GEN STATE AID	30,000.00	0.00	0.00	30,000.00	0.00	50-3001-1

La Harp CSD 347 Revenue Report

Report as o 0/31/2024

Printed: 11/14/2024 10:46:44AM
La Harpe CSD 347

I.M.R.F./Soc. Sec. Fund 50
Source of Revenue 3000 Revenue From State Sources

Account	Description		Revenue Budget	M.T.D. Revenue	Y.T.D. Revenue	Budget Balance Revenue	% of Budget	State Account Number
3000	**Revenue From State Sources**		30,000.00	0.00	0.00	30,000.00	0.00	* Source of Revenue
50	**I.M.R.F./Soc. Sec. Fund**		166,658.00	0.00	129,334.87	37,323.13	77.60	Fund
General Levy								
70-1115-01-1		WORKING CASH/CURR.TAX LEVY	30,459.00	0.00	28,841.53	1,617.47	94.69	70-1115-01-1
70-1210-01-1		MOBILE HOME TAXES	10.00	0.00	0.00	10.00	0.00	70-1210-01-1
70-1510-1		WORK. CASH-INT. ON INVES	10.00	0.00	0.00	10.00	0.00	70-1510-1
1000	**General Levy**		30,479.00	0.00	28,841.53	1,637.47	94.63	* Source of Revenue
70	**Working Cash Fund**		30,479.00	0.00	28,841.53	1,637.47	94.63	Fund
General Levy								
80-1120-01-1		TORT IMMUNITY/CURR.TAX LEVY	194,461.00	0.00	184,118.33	10,342.67	94.68	80-1120-01-1
80-1210-01-1		MOBILE HOME TAXES	70.00	0.00	0.00	70.00	0.00	80-1210-01-1
80-1510-1		TORT IMMUNITY/INT ON INVEST.	80.00	0.00	0.00	80.00	0.00	80-1510-1
1000	**General Levy**		194,611.00	0.00	184,118.33	10,492.67	94.61	* Source of Revenue
80	**Tort Immunity and Judgment Fund**		194,611.00	0.00	184,118.33	10,492.67	94.61	Fund
General Levy								
90-1118-01-1		FIRE PREV/SFTY/ENRGY-CURR.TAX LEVY	30,465.00	0.00	28,846.39	1,618.61	94.69	90-1118-01-1
90-1210-01-1		MOBILE HOME TAXES	10.00	0.00	0.00	10.00	0.00	90-1210-01-1
90-1510-1		FIRE PREV/INT ON INVEST.	10.00	0.00	0.00	10.00	0.00	90-1510-1
1000	**General Levy**		30,485.00	0.00	28,846.39	1,638.61	94.62	* Source of Revenue
90	**Capital Improvement Fund**		30,485.00	0.00	28,846.39	1,638.61	94.62	Fund
		Report Total:	4,347,085.04	109,232.68	2,509,082.08	1,838,002.96	57.72	

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Education Fund 10
Function 1000 Instruction

Account	Description	Current Budget	M.T.D. Activity	Y.T.D. Activity	Budget Balance	% of Budget	State Account Number
Instruction							
10-1101-110-1	ELEM/JRH TCH SALARIES	545,000.00	45,981.82	178,996.04	366,003.96	32.84	10-1101-110-1
10-1101-115-1	ELEM/JRH CLRM CLERKS & AIDES	132,000.00	8,760.89	40,744.61	91,255.39	30.87	10-1101-115-1
10-1101-120-1	ELEM-JRH SUB TCH	25,000.00	3,500.00	6,125.00	18,875.00	24.50	10-1101-120-1
10-1101-125-1	ELEM-JRH SUB CLERKS & AIDES	15,000.00	2,039.65	2,370.40	12,629.60	15.80	10-1101-125-1
10.1101.211.1	ELEM/JRH TCH SALARIES (38B)	10,000.00	732.65	2,821.95	7,178.05	28.22	10-1101-211-1
10.1101.212.1	ELEM/JRH TCH SALARIES (51B)	5,000.00	280.84	1,056.49	3,943.51	21.13	10-1101-212-1
10-1101-217-1	CONTINUED EDUC. REIMB.	1,000.00	0.00	100.00	900.00	10.00	10-1101-217-1
10-1101-220-1	ELEM-JRH/INS BENEFITS	215,000.00	16,427.45	58,038.82	156,961.18	26.99	10-1101-220-1
10-1101-314-14	CLASS REIMBURSEMENT - TITLE I VACANCY GRANT	6,900.00	0.00	6,881.70	18.30	99.73	10-1101-314-14
10-1101-410-1	ELEM/GENERAL SUPL	40,000.00	0.00	13,969.35	26,030.65	34.92	10-1101-410-1
10-1101-410-14	SUPPLIES - TITLE I VACANCY GRANT	0.00	0.00	453.17	(453.17)	0.00	10-1101-410-14
10-1101-410-15	SUPPLIES - TITLE I VACANCY GRANT	0.00	0.00	115.69	(115.69)	0.00	10-1101-410-15
10-1101-410-0-1	KINDG. SUPPLIES	0.00	0.00	3,190.30	(3,190.30)	0.00	10-1101-410-8-1
10-1101-411-14	SUPPLIES - TITLE I SCHOOL IMPROVEMENT	4,300.00	0.00	4,237.22	62.78	98.54	10-1101-411-14
10-1101-411-15	SUPPLIES - TITLE I SCHOOL IMPROVEMENT	0.00	0.00	3,150.00	(3,150.00)	0.00	10-1101-411-15
10-1101-411-17	TITLE I SCHOOL IMPROVEMENT SUPPLIES	5,400.00	0.00	0.00	5,400.00	0.00	10-1101-411-17
10-1101-411-21	TITLE IV STEAM SUPPLIES	5,500.00	0.00	0.00	5,500.00	0.00	10-1101-411-21
10-1101-411-3-1	SOCIAL STUDIES 6-7-8	0.00	0.00	0.00	0.00	0.00	10-1101-411-6-3-1
10-1101-411-6-1	PE & HEALTH SUPL	3,000.00	0.00	2,696.08	303.92	89.87	10-1101-411-6-6-1
10-1101-411-7-1	ART SUPPLIES/ ELEM - JRH	1,500.00	0.00	108.36	1,391.64	7.22	10-1101-411-6-7-1
10-1101-411-9-1	JRH BAND & CHORAL MUSIC	1,500.00	187.99	217.98	1,282.02	14.53	10-1101-411-6-9-1
10-1101-411-8-1	ACTIVITY FUND PURCH.	1,000.00	0.00	0.00	1,000.00	0.00	10-1101-411-8-1
10-1101-413-1	BAND REPAIRS & SUPL	1,000.00	290.00	617.13	382.87	61.71	10-1101-413-1
10-1125-255-100-11	PRESCH/TRANSP	0.00	0.00	36.18	(36.18)	0.00	10-1125-100-7-11
10-1125-100-110-10	PRE K/TCH SALARY 2023-2024	8,915.00	0.00	8,913.18	1.82	99.98	10-1125-110-7-10
10-1125-100-110-11	PRESCH TCH SAL./2024-2025	55,000.00	4,606.00	9,387.00	45,613.00	17.07	10-1125-110-7-11
10-1125-100-115-10	PRE K/AIDE SALARY 2023-2024	3,150.00	0.00	3,132.50	17.50	99.44	10-1125-115-7-10
10-1125-100-115-11	PRESCH/AIDE SAL. 2024-2025	19,750.00	1,644.56	3,541.12	16,208.88	17.93	10-1125-115-7-11
10-1125-100-122-10	PRESCH-SUB/TCH	1,500.00	0.00	0.00	1,500.00	0.00	10-1125-122-7-10
10-1125-100-126-10	PRESCH-SUB CLERK	1,100.00	0.00	0.00	1,100.00	0.00	10-1125-126-7-10
10.1125.211.100.10	PRE K/TCH SALARY 2023-24 (38B	1,000.00	0.00	139.92	860.08	13.99	10-1125-211-7-10
10.1125.211.100.11	PRESCH TCH SAL./2024-2025 (388	200.00	72.31	147.36	52.64	73.68	10-1125-211-7-11
10.1125.212.100.10	PRE K/TCH SALARY 2023-24 (51B	300.00	0.00	51.68	248.32	17.23	10-1125-212-7-10
10.1125.212.100.11	PRESCH TCH SAL./2024-2025 (51B	100.00	26.71	54.43	45.57	54.43	10-1125-212-7-11
10-1125-100-220-10	PRE SCH AT RISK/INSURANCE	1,915.00	0.00	1,911.54	3.46	99.82	10-1125-220-7-10
10-1125-100-220-11	PRESCH/INS BENEFIT	13,710.00	1,137.20	2,088.27	11,621.73	15.23	10-1125-220-7-11

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Account	Description	Current Budget	M.T.D. Activity	Y.T.D. Activity	Budget Balance	% of Budget	State Account Number
10-1125-254-410-10	PRESCH/PLAYGROUND	1,000.00	0.00	0.00	1,000.00	0.00	10-1125-400-7-10
10-1125-256-400-11	PRESCH/FOOD SERV	1,000.00	0.00	175.88	824.12	17.59	10-1125-400-7-11
10-1125-100-410-10	PRE K AT RISK/SUPPLIES	2,500.00	0.00	5,417.51	(2,917.51)	216.70	10-1125-410-7-10
10-1125-100-410-11	PRESCH/TCH SUPL	0.00	199.00	199.00	(199.00)	0.00	10-1125-410-7-11
10-1205-110-1	SPEC ED-TCH SAL.	140,000.00	11,162.66	43,470.16	96,529.84	31.05	10-1205-110-1
10-1205-113-1	SPEC.ED./HOMEBOUND TUTORING	500.00	0.00	0.00	500.00	0.00	10-1205-113-1
10-1205-115-1	SPEC ED-CLERK SAL.	90,000.00	7,315.53	21,595.94	68,404.06	24.00	10-1205-115-1
10.1205.211.1	SPEC ED-TCH SAL. (38B)	1,500.00	110.11	369.17	1,130.83	24.61	10-1205-211-1
10.1205.212.1	SPEC ED-TCH SAL. (51B)	500.00	40.68	157.99	342.01	31.60	10-1205-212-1
10-1205-220-1	SPEC ED-BENE/INS.	56,000.00	4,455.14	15,846.01	40,153.99	28.30	10-1205-220-1
10-1205-300-1	SPEC ED/CONTRACTED SERV	0.00	0.00	386.81	(386.81)	0.00	10-1205-300-1
10-1205-410-1-1	SUPPLIES-ELEM	2,000.00	0.00	0.00	2,000.00	0.00	10-1205-410-09-1
10-1205-410-2-1	SUPPLIES-JR HIGH	2,000.00	0.00	0.00	2,000.00	0.00	10-1205-410-2-1
10-1205-410-4-1	ARRA IDEA PART B FLOW THROUGH	58,620.00	7,105.00	14,210.00	44,410.00	24.24	10-1205-410-4-1
10-1205-410-3-1	ARRA IDEA PART B PRESCH	2,368.00	282.00	564.00	1,804.00	23.82	10-1205-410-7-3-1
10-1250-100-110-14	TITLE I SALARIES 2023-24	10,166.00	0.00	10,166.82	(0.82)	100.01	10-1250-110-14
10.1250.211.300.14	COMM SERV/RDG NIGHT-SAL (388B)	1,906.00	0.00	159.64	1,746.36	8.38	10-1250-211-14
10-1250-100-211-14	TITLE I/TRS - 10.60%	2,674.00	0.00	0.00	2,674.00	0.00	10-1250-211-14
10-1250-110-211-14	THIS/TCH BENEFIT	100.00	0.00	0.00	100.00	0.00	10-1250-211-14
10.1250.212.100.14	TITLE I SALARIES 2023-24 (51B	500.00	0.00	58.96	441.04	11.79	10-1250-212-14
10-1250-110-212-14	TRS/NEC	100.00	0.00	0.00	100.00	0.00	10-1250-212-14
10.1250.220.300.14	COMM SERV/RDG NIGHT-SAL (46B)	2,000.00	0.00	1,906.92	93.08	95.35	10-1250-220-14
10-1255-100-110-15	TITLE I-SALARIES/2024-25	64,661.00	5,388.42	10,776.84	53,884.16	16.67	10-1255-110-15
10.1255.211.300.15	COMM SERV/RD NIGHT - SAL (388B	0.00	84.60	169.20	(169.20)	0.00	10-1255-211-15
10-1255-100-211-15	TITLE I/TRS-10.34%	3,000.00	0.00	0.00	3,000.00	0.00	10-1255-211-15
10.1255.212.100.15	TITLE I-SALARIES/2024-25 (51B)	100.00	31.26	62.52	37.48	62.52	10-1255-212-15
10.1255.220.300.15	COMM SERV/RD NIGHT - SAL (46B)	0.00	1,134.10	2,087.56	(2,087.56)	0.00	10-1255-220-15
10-1255-100-220-15	TITLE I-INS BENEFITS	13,675.00	0.00	0.00	13,675.00	0.00	10-1255-220-15
10-1255-221-300-15	TITLE I-IMPROV.INST	0.00	539.00	4,325.00	(4,325.00)	0.00	10-1255-300-15
10-1255-100-310-15	TITLE I/SOFTWARE	6,500.00	0.00	0.00	6,500.00	0.00	10-1255-310-15
10-1255-290-400-15	TITLE I/HOMELESS	2,656.00	0.00	0.00	2,656.00	0.00	10-1255-400-15
10-1255-100-410-15	TITLE I-SUPPLIES	20,000.00	0.00	4,205.29	15,794.71	21.03	10-1255-410-15
10-1400-110-1	TECH SALARIES	12,000.00	3,030.00	4,395.00	7,605.00	36.63	10-1400-110-1
10-1408-300-1	TECH/PURCH. SERVICES	5,000.00	0.00	0.00	5,000.00	0.00	10-1408-300-1
10-1408-410-1	TECH.SUPPLIES	3,000.00	0.00	36.24	2,963.76	1.21	10-1408-410-1
10-1408-411-1	TECH/SUPPORT,LIC-AGRMT	45,000.00	2,015.66	14,072.15	30,927.85	31.27	10-1408-411-1
10-1408-412-1	TECH/SOFTWARE	4,500.00	0.00	3,919.94	580.06	87.11	10-1408-412-1
10-1408-414-1	REAP/2022	200.00	167.76	335.52	(135.52)	167.76	10-1408-414-1
10-1408-415-1	REAP/2023	14,708.00	0.00	12,364.81	2,343.19	84.07	10-1408-415-1
10-1408-416-1	REAP/2024	18,373.00	11,814.14	11,814.14	6,558.86	64.30	10-1408-416-1
10-1510-410-1	ATHLETIC BOOSTER /PURCH.	3,000.00	0.00	486.00	2,514.00	16.20	10-1510-410-1

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Account	Description	Current Budget	M.T.D. Activity	Y.T.D. Activity	Budget Balance	% of Budget	State Account Number
10-1520-110-1	JRH ATHLETIC SALARY	29,150.00	5,377.76	7,147.04	22,002.96	24.52	10-1520-110-1
10.1520.211.1	JRH ATHLETIC SALARY (38B)	500.00	25.59	53.34	446.66	10.67	10-1520-211-1
10.1520.212.1	JRH ATHLETIC SALARY (51B)	500.00	9.46	19.72	480.28	3.94	10-1520-212-1
10.1520.220.1	JRH ATHLETIC SALARY (46B)	2,500.00	316.09	584.43	1,915.57	23.38	10-1520-220-1
10-1520-332-1	JRH-TRAVEL	500.00	0.00	95.52	404.48	19.10	10-1520-332-1
10-1520-410-1	JRH GIRLS BSKT	1,200.00	0.00	0.00	1,200.00	0.00	10-1520-410-1
10-1520-411-1	JRH GIRLS VOLLEYBALL	1,800.00	0.00	0.00	1,800.00	0.00	10-1520-411-1
10-1520-412-1	JRH BOYS BASEBALL	3,000.00	0.00	2,392.00	608.00	79.73	10-1520-412-1
10-1520-413-1	JRH BOYS BASKETBALL	2,000.00	0.00	2,448.60	(448.60)	122.43	10-1520-413-1-1
10-1520-600-1	JRH - OTHER EXPENSES	4,500.00	0.00	(45.00)	4,545.00	-1.00	10-1520-600-1
1000 Instruction		1,762,197.00	146,292.03	551,724.14	1,210,472.86	31.31	* Function
Support Services							
10-2110-300-1	SOCIAL WORKER PURCH SERV	25,500.00	3,366.00	6,732.00	18,768.00	26.40	10-2110-300-1
10-2120-110-1	COUNSELOR-TCH SALARY	45,000.00	3,726.16	14,830.82	30,169.18	32.96	10-2120-110-1
10-2120-110-212-1	TRS/NEC	700.00	0.00	0.00	700.00	0.00	10-2120-110-1
10-2120-110-211-1	TRS/THIS BENEFIT	700.00	58.50	232.87	467.13	33.27	10-2120-211-1
10.2120.212.1	COUNSELOR-TCH SALARY (51B)	300.00	21.62	86.05	213.95	28.68	10-2120-212-1
10-2120-220-1	COUNSELOR-BENE/INS.	14,000.00	1,067.01	3,907.75	10,092.25	27.91	10-2120-220-1
10-2120-332-1	COUNSELOR-TRAVEL	500.00	0.00	0.00	500.00	0.00	10-2120-332-1
10-2120-410-1	COUNSELOR-SUPPLIES	500.00	0.00	0.00	500.00	0.00	10-2120-410-1
10-2130-300-1	HEALTH SERVICES	2,500.00	0.00	1,314.00	1,186.00	52.56	10-2130-300-1
10-2130-410-1	SCH.HEALTH SUPPLIES	2,000.00	0.00	374.00	1,626.00	18.70	10-2130-410-1
10-2140-300-1	PSYCHOLOGICAL/PURCH SERV	10,000.00	0.00	0.00	10,000.00	0.00	10-2140-300-1
10-2140-410-1	PSYCH.-SUPPLIES	500.00	0.00	0.00	500.00	0.00	10-2140-410-1
10-2150-110-1	SPEECH-TEACHERS SALARY	27,500.00	2,289.42	4,578.84	22,921.16	16.65	10-2150-110-1
10.2150.211.1	SPEECH-TEACHERS SALARY (38B)	300.00	35.94	71.88	228.12	23.96	10-2150-211-1
10.2150.212.1	SPEECH-TEACHERS SALARY (51B)	300.00	13.27	26.54	273.46	8.85	10-2150-212-1
10-2150-300-1	SPEECH-PURCHASED SERVICES	22,781.00	0.00	22,781.00	0.00	100.00	10-2150-300-1
10-2150-410-1	SPEECH-SUPPLIES	1,500.00	0.00	0.00	1,500.00	0.00	10-2150-410-1
10-2210-100-2-1	TITLE II (4932)STIPENDS	0.00	0.00	450.00	(450.00)	0.00	10-2210-100-12
10-2210-100-15	TITLE I SIP STIPENDS	14,400.00	1,560.00	2,200.00	12,200.00	15.28	10-2210-100-17
10.2210.211.2.1	TITLE II (4932)STIPENDS (388B)	0.00	0.00	7.08	(7.08)	0.00	10-2210-211-12
10.2210.211.15	TITLE I SIP STIPENDS (388B)	1,000.00	0.00	66.72	933.28	6.67	10-2210-211-15
10.2210.211.17	TITLE I SIP STIPENDS (388B)	0.00	161.96	161.96	(161.96)	0.00	10-2210-211-17
10.2210.212.2.1	TITLE II (4932)STIPENDS (51B)	0.00	0.00	2.61	(2.61)	0.00	10-2210-212-12
10.2210.212.15	TITLE I SIP STIPENDS (35B)	1,000.00	0.00	3.68	996.32	0.37	10-2210-212-15
10.2210.212.17	TITLE I SIP STIPENDS (35B)	0.00	9.05	9.05	(9.05)	0.00	10-2210-212-17
10.2210.220.2.1	TITLE II (4932)STIPENDS (46B)	0.00	0.00	112.23	(112.23)	0.00	10-2210-220-12
10.2210.220.15	TITLE I SIP STIPENDS (46B)	1,000.00	0.00	129.14	870.86	12.91	10-2210-220-15
10.2210.220.17	TITLE I SIP STIPENDS (46B)	0.00	400.96	400.96	(400.96)	0.00	10-2210-220-17
10-2210-221-2-1	TITLE II/(4932)IMPROV INSTRUC	0.00	(210.00)	5,968.35	(5,968.35)	0.00	10-2210-221-12

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10-2210-221-15	TITLE I TITLE REIMBURSEMENT	2,500.00	0.00	0.00	2,500.00	0.00	10-2210-221-15
10-2210-230-19	TEACHER VACANCY TUITION REIMBURSEMENT	19,900.00	0.00	476.00	19,424.00	2.39	10-2210-230-19
10-2210-300-13	TITLE II PROFESSIONAL DEVELOPMENT	3,259.00	0.00	132.73	3,126.27	4.07	10-2210-300-13
10-2210-300-15	TITLE I PROFESSIONAL DEVELOPMENT	3,000.00	0.00	0.00	3,000.00	0.00	10-2210-300-15
10-2210-300-21	TITLE IV SCHOOL SAFETY	2,000.00	0.00	79.73	1,920.27	3.99	10-2210-300-21
10-2210-400-13	TITLE II (4932) SUPL	2,500.00	0.00	0.00	2,500.00	0.00	10-2210-400-13
10-2210-400-17	TITLE I SIP SUPPLIES	1,000.00	0.00	0.00	1,000.00	0.00	10-2210-400-17
10-2210-400-19	TEACHER VACANCY SUPPLIES	5,966.00	0.00	0.00	5,966.00	0.00	10-2210-400-19
10-2210-400-4-1	TITLE IV-(4400) SUPPLIES	0.00	0.00	181.58	(181.58)	0.00	10-2210-400-20
10-2210-400-21	TITLE IV SUPPLIES	1,500.00	0.00	800.00	700.00	53.33	10-2210-400-21
10-2220-110-1	LIBRARY - SALARY	28,000.00	2,192.75	8,666.60	19,333.40	30.95	10-2220-110-1
10-2220-220-1	LIBRARY-BENE/INS	14,000.00	1,134.10	3,994.48	10,005.52	28.53	10-2220-220-1
10-2220-410-1	LIBRARY SUPPLIES	500.00	0.00	690.60	(190.60)	138.12	10-2220-410-1
10-2220-430-1	LIBRARY BOOKS	3,500.00	347.24	347.24	3,152.76	9.92	10-2220-430-1
10-2220-432-1	A/V MATERIALS	500.00	0.00	0.00	500.00	0.00	10-2220-432-1
10-2230-300-15	ASSESSMENTS - TITLE I	1,400.00	0.00	0.00	1,400.00	0.00	10-2230-300-15
10-2310-310-1	BD OF EDUC-PURCH SERV.	10,000.00	530.00	11,267.20	(1,267.20)	112.67	10-2310-310-1
10-2310-318-1	BD OF EDUC.-LEGAL	15,000.00	0.00	0.00	15,000.00	0.00	10-2310-318-1
10-2310-319-1	BANK & WIRE CHGS.	100.00	0.00	0.00	100.00	0.00	10-2310-319-1
10-2310-332-1	BD OF ED-TRAVEL	500.00	30.00	1,008.61	(508.61)	201.72	10-2310-332-1
10-2310-340-1	BD OF EDUC.-POSTAGE	1,500.00	0.00	0.00	1,500.00	0.00	10-2310-334-1
10-2310-350-1	ADVERTISING	3,000.00	0.00	579.69	2,420.31	19.32	10-2310-350-1
10-2310-410-1	SUPPLIES	20,000.00	365.37	1,966.26	18,033.74	9.83	10-2310-410-1
10-2310-540-1	BD OF EDUC-CAP.OUTLAY	2,000.00	0.00	0.00	2,000.00	0.00	10-2310-540-1
10-2310-610-1	MISC /OTHER	1,500.00	(1.24)	28.24	1,471.76	1.88	10-2310-610-1
10-2310-640-1	DUES & FEES	3,000.00	0.00	550.00	2,450.00	18.33	10-2310-640-1
10-2310-690-1	MISC-CONVENTION	7,000.00	2,750.85	3,238.85	3,761.15	46.27	10-2310-690-1
10-2320-110-1	SUPT SALARY	118,000.00	10,920.00	43,680.00	74,320.00	37.02	10-2320-110-1
10-2320-115-1	SUPT SECY/CO-OP STU	34,000.00	3,053.77	12,222.10	21,777.90	35.95	10-2320-115-1
10.2320.211.1	SUPT SALARY (39B)	2,500.00	171.44	685.76	1,814.24	27.43	10-2320-211-1
10.2320.212.1	SUPT SALARY (35B)	1,000.00	63.34	253.36	746.64	25.34	10-2320-212-1
10-2320-220-1	EMPL.BENE/INS	14,200.00	1,146.32	4,025.08	10,174.92	28.35	10-2320-220-1
10-2320-332-1	TRAVEL	1,000.00	0.00	0.00	1,000.00	0.00	10-2320-332-1
10-2320-340-1	POSTAGE	500.00	0.00	0.00	500.00	0.00	10-2320-340-1
10-2320-410-1	OFFICE SUPL./SUBSCRIP	900.00	0.00	0.00	900.00	0.00	10-2320-410-1
10-2320-540-1	CAPITAL OUTLAY	500.00	0.00	0.00	500.00	0.00	10-2320-540-1
10-2320-640-1	DUES & FEES	1,200.00	0.00	1,008.00	192.00	84.00	10-2320-640-1
10-2410-110-1	ELEM.PRINC.-SALARY	65,000.00	5,416.66	21,666.64	43,333.36	33.33	10-2410-110-1
10-2410-115-1	ELEM SEC.-SALARY	31,000.00	2,369.17	9,132.76	21,867.24	29.46	10-2410-115-1

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Education Fund 10

Function 2000 Support Services

Account	Description	Current Budget	M.T.D. Activity	Y.T.D. Activity	Budget Balance	% of Budget	State Account Number
10.2410.211.1	ELEM.PRINC.-SALARY (39B)	2,000.00	85.06	340.21	1,659.79	17.01	10-2410-211-1
10.2410.212.1	ELEM.PRINC.-SALARY (35B)	1,000.00	31.43	125.69	874.31	12.57	10-2410-212-1
10.2410.220.1	ELEM.PRINC.-SALARY (46B)	20,000.00	2,067.14	7,392.23	12,607.77	36.96	10-2410-220-1
10-2410-600-1	OTHER MISC. EXPENSE	1,000.00	0.00	0.00	1,000.00	0.00	10-2410-300-1
10-2410-332-1	ELEM.PRINC.-TRAVEL	300.00	0.00	588.00	(288.00)	196.00	10-2410-332-1
10-2410-410-1	ELEM.OFFICE SUPPLIES	4,000.00	0.00	1,512.09	2,487.91	37.80	10-2410-410-1
10-2410-640-1	ELEM.PRINC.-DUES & FEES	700.00	0.00	0.00	700.00	0.00	10-2410-640-1
10-2510-110-1	SALARY-BOOKKEEPER	66,800.00	5,285.00	22,417.50	44,382.50	33.56	10-2510-110-1
10-2510-220-1	EMPLOYEE BENE INS	13,675.00	1,134.10	3,994.48	9,680.52	29.21	10-2510-220-1
10-2510-652-1	BOOKKEEPER FIDELITY BOND	1,000.00	0.00	935.00	65.00	93.50	10-2510-652-1
10-2520-300-1	FISCAL SERVICES/AUDIT	14,570.00	0.00	0.00	14,570.00	0.00	10-2520-300-1
10-2540-340-1	UTIL-TELEPHONE	8,200.00	659.62	2,554.45	5,645.55	31.15	10-2540-340-1
10-2540-410-21	TITLE IV SCHOOL SAFETY SUPPLIES	1,000.00	0.00	0.00	1,000.00	0.00	10-2540-410-21
10-2560-110-1	CAFETERIA SALARIES	70,000.00	5,857.97	21,929.22	48,070.78	31.33	10-2560-110-1
10-2560-220-1	EMPLOYEE BENE INS	42,000.00	3,402.30	11,983.44	30,016.56	28.53	10-2560-220-1
10-2560-300-1	CAFETERIA/PURCH.SERVICES	3,000.00	40.00	1,322.00	1,678.00	44.07	10-2560-300-1
10-2560-323-1	REPAIRS/MAINTENANCE	1,000.00	0.00	149.50	850.50	14.95	10-2560-323-1
10-2560-332-1	TRAVEL	500.00	0.00	0.00	500.00	0.00	10-2560-332-1
10-2560-410-1	SUPL.-OTHER(NON FOOD)	4,000.00	0.00	6,254.85	(2,254.85)	156.37	10-2560-410-1
10-2560-411-1	SUPPLIES-FOOD ITEMS	82,000.00	9,103.29	18,254.67	63,745.33	22.26	10-2560-411-1
10-2560-600-1	MISC OTHER EXPENSES	1,000.00	0.00	770.00	230.00	77.00	10-2560-600-1
10-2660-600-1	DATA PROC./COPIER RENTAL	15,000.00	790.28	4,928.10	10,071.90	32.85	10-2660-600-1
2000 Support Services		947,651.00	71,445.85	296,580.47	651,070.53	31.30	* Function
Community Services							
10-3000-100-400-15	TITLE I/COMM SERV/READ NIGHT SUPPLIES	500.00	0.00	0.00	500.00	0.00	10-3000-400-15-15
3000 Community Services		500.00	0.00	0.00	500.00	0.00	* Function
Nonprogrammed Charges							
10-4120-320-1	TUITION PMTS-WCISEC	50,000.00	775.00	14,812.90	35,187.10	29.63	10-4120-320-1
10-4120-330-1	TUITION PYMTS/OTHER DIST	2,200.00	0.00	0.00	2,200.00	0.00	10-4120-330-1
4000 Nonprogrammed Charges		52,200.00	775.00	14,812.90	37,387.10	28.38	* Function
10 Education Fund		2,762,548.00	218,512.88	863,117.51	1,899,430.49	31.24	Fund
Support Services							
20-2540-110-1	OBM-REG.SALARIES	135,000.00	13,115.84	75,866.45	59,133.55	56.20	20-2540-110-1
20.2540.211.1	OBM-REG.SALARIES (388B)	400.00	0.00	0.00	400.00	0.00	20-2540-211-1
20.2540.212.1	OBM-REG.SALARIES (51B)	100.00	0.00	0.00	100.00	0.00	20-2540-212-1
20-2540-220-1	OBM-BENE/INS.	27,500.00	3,402.30	11,134.72	16,365.28	40.49	20-2540-220-1
20-2540-300-1	PURCHASED SERVICES	70,000.00	4,526.90	18,075.82	51,924.18	25.82	20-2540-300-1
20-2540-321-1	UTIL.-HEATING	20,000.00	485.55	1,337.43	18,662.57	6.69	20-2540-321-1

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Oper, Build, & Maint Fund 20

Function 2000 Support Services

Account	Description	Current Budget	M.T.D. Activity	Y.T.D. Activity	Budget Balance	% of Budget	State Account Number
20-2540-326-1	EQUIP.REPAIR EXPENSE	3,000.00	0.00	0.00	3,000.00	0.00	20-2540-326-1
20-2540-327-1	OBM/UTIL-ELECTRIC	75,000.00	8,658.48	36,165.55	38,834.45	48.22	20-2540-327-1
20-2540-328-1	OBM/UTIL-WATER & SEWAGE	10,000.00	351.09	2,647.48	7,352.52	26.47	20-2540-328-1
20-2540-332-1	TRAVEL	1,000.00	0.00	310.26	689.74	31.03	20-2540-332-1
20-2540-334-1	UNIT TRUCK EXPENSE	500.00	0.00	0.00	500.00	0.00	20-2540-334-1
20-2540-410-1	OBM-CUSTODIAL SUPPLIES	20,000.00	404.07	2,082.02	17,917.98	10.41	20-2540-410-1
20-2540-411-1	REPAIRS/MAINT SUPPLIES	30,000.00	2,023.11	11,673.94	18,326.06	38.91	20-2540-411-1
20-2540-540-1	OBM-CAPITAL OUTLAY	28,890.00	1,784.52	72,239.41	(43,349.41)	250.05	20-2540-540-1
20-2540-540-8	OBM-CAP PROJECT	260,992.00	0.00	160,991.50	100,000.50	61.68	20-2540-540-8
20-2540-600-1	OBM-OTHER EXP.	2,000.00	0.00	70.00	1,930.00	3.50	20-2540-600-1
2000	**Support Services**	684,382.00	34,751.86	392,594.58	291,787.42	57.36	* Function
20	**Oper, Build, & Maint Fund**	684,382.00	34,751.86	392,594.58	291,787.42	57.36	Fund
Debt Services							
30-5200-621-1	DEBT SERVICE-INT EXPENSE/LONG TERM	27,447.60	0.00	0.00	27,447.60	0.00	30-5200-621-1
30-5300-650-1	DEBT SERVICES-PRINCIPAL LONG TERM	189,000.00	0.00	0.00	189,000.00	0.00	30-5300-650-1
30-5400-655-1	DEBT SERVICE-OTHER (AGENT FEE)	500.00	0.00	0.00	500.00	0.00	30-5400-655-1
5000	**Debt Services**	216,947.60	0.00	0.00	216,947.60	0.00	* Function
30	**Debt Service Fund or Fund Group**	216,947.60	0.00	0.00	216,947.60	0.00	Fund
Support Services							
40-2550-110-1	TRANSP-REG. SALARY	120,000.00	10,228.32	35,461.58	84,538.42	29.55	40-2550-110-1
40.2550.211.1	TRANSP-REG. SALARY (388B)	0.00	4.18	16.72	(16.72)	0.00	40-2550-211-1
40.2550.212.1	TRANSP-REG. SALARY (51B)	0.00	1.54	6.16	(6.16)	0.00	40-2550-212-1
40-2550-220-1	TRANSP-BENE/INS.	14,000.00	1,181.73	4,163.43	9,836.57	29.74	40-2550-220-1
40-2550-300-1	LABOR REPAIR/PARTS	8,000.00	2,107.29	4,647.50	3,352.50	58.09	40-2550-300-1
40-2550-310-1	HEALTH SERVICES	1,100.00	0.00	0.00	1,100.00	0.00	40-2550-310-1
40-2550-315-1	TRANSP./PURCH SERVICES	500.00	0.00	0.00	500.00	0.00	40-2550-315-1
40-2550-332-1	TRAVEL	1,000.00	0.00	0.00	1,000.00	0.00	40-2550-332-1
40-2550-411-1	GASOLINE & DIESEL	38,000.00	70.28	5,115.52	32,884.48	13.46	40-2550-411-1
40-2550-412-1	OIL & GREASE	50.00	0.00	0.00	50.00	0.00	40-2550-412-1
40-2550-413-1	TIRES & TUBES	2,000.00	0.00	0.00	2,000.00	0.00	40-2550-413-1
40-2550-550-1	CAPITAL OUTLAY-VEHICLES	74,031.00	0.00	74,030.76	0.24	100.00	40-2550-550-1
40-2550-600-1	OTHER EXPENSE	2,300.00	720.00	1,120.00	1,180.00	48.70	40-2550-600-1
2000	**Support Services**	260,981.00	14,313.34	124,561.67	136,419.33	47.73	* Function
40	**Transportation Fund**	260,981.00	14,313.34	124,561.67	136,419.33	47.73	Fund
Instruction							
50-1101-212-1	ELEM AIDES/IMRF	15,000.00	976.83	4,542.98	10,457.02	30.29	50-1101-212-1

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I.M.R.F./Soc. Sec. Fund 50

Function 1000 Instruction

Account	Description	Current Budget	M.T.D. Activity	Y.T.D. Activity	Budget Balance	% of Budget	State Account Number
50-1101-213-1	ELEM. AIDES/FICA	10,500.00	817.79	3,289.84	7,210.16	31.33	50-1101-213-1
50-1101-214-1	ELEM/JRH TCH-MED ONLY	8,200.00	715.67	2,681.48	5,518.52	32.70	50-1101-214-1
50.1125.212.100.10	PRE K/AIDE SALARY 2019-20 (33B	350.00	0.00	349.28	0.72	99.79	50-1125-212-7-10
50.1125.212.100.11	PRESCH/AIDE SAL. 2020-21 (33B	500.00	183.36	394.82	105.18	78.96	50-1125-212-7-11
50-1125-212-11	PRESCH/IMRF	2,400.00	0.00	0.00	2,400.00	0.00	50-1125-212-7-11
50.1125.213.100.10	PRE K/AIDE SALARY 2019-20 (FR)	130.00	0.00	239.64	(109.64)	184.34	50-1125-213-7-10
50-1125-213-10	PRE K AIDE/FICA	200.00	0.00	0.00	200.00	0.00	50-1125-213-7-10
50.1125.213.100.11	PRESCH/AIDE SAL. 2020-21 (FR)	1,500.00	125.80	270.88	1,229.12	18.06	50-1125-213-7-11
50-1125-213-11	PRESCH/FICA	1,500.00	0.00	0.00	1,500.00	0.00	50-1125-213-7-11
50.1125.214.100.10	PRE K/TCH SALARY 2019-20 (MR)	120.00	0.00	129.24	(9.24)	107.70	50-1125-214-7-10
50-1125-214-10	PRE K TCH/MED ONLY	130.00	0.00	0.00	130.00	0.00	50-1125-214-7-10
50.1125.214.100.11	PRESCH TCH SAL./2020-2021 (MR)	750.00	66.78	136.10	613.90	18.15	50-1125-214-7-11
50-1205-212-1	LD AIDES/IMRF	11,000.00	815.68	2,384.50	8,615.50	21.68	50-1205-212-1
50-1205-213-1	LD AIDES/FICA	7,000.00	559.63	1,644.41	5,355.59	23.49	50-1205-213-1
50-1205-214-1	LD TCH/MEDICARE ONLY	2,000.00	162.70	633.44	1,366.56	31.67	50-1205-214-1
50.1250.214.100.14	TITLE I SALARIES 2017-201 (MR)	100.00	0.00	147.40	(47.40)	147.40	50-1250-214-14
50.1255.214.100.15	TITLE I-SALARIES/2020-21 (MR)	1,000.00	78.14	156.28	843.72	15.63	50-1255-214-15
50-1400-213-1	TECH/FICA	750.00	231.79	336.22	413.78	44.83	50-1400-213-1
50-1400-214-1	TECH TCH/MED. ONLY	10.00	0.00	0.00	10.00	0.00	50-1400-214-1
50-1520-212-1	JRH ATHLETICS/IMRF	750.00	0.00	0.00	750.00	0.00	50-1520-212-1
50-1520-213-1	JRH ATHLETICS/FICA	1,500.00	286.65	286.65	1,213.35	19.11	50-1520-213-1
50-1520-214-1	JRH ATHLETICS/MED.ONLY	500.00	23.65	49.32	450.68	9.86	50-1520-214-1
1000 Instruction		65,890.00	5,044.47	17,672.48	48,217.52	26.82	* Function
Support Services							
50-2120-214-1	GUIDANCE/MEDICARE ONLY	1,000.00	54.02	215.02	784.98	21.50	50-2120-214-1
50-2140-214-1	PSYCH/MEDICARE ONLY	1,000.00	0.00	0.00	1,000.00	0.00	50-2140-214-1
50-2150-214-1	SPEECH/MED ONLY	1,000.00	33.20	66.40	933.60	6.64	50-2150-214-1
50.2210.214.2.1	TITLE II (4932)STIPENDS (MR)	0.00	0.00	6.54	(6.54)	0.00	50-2210-214-12
50.2210.214.15	TITLE I SIP STIPENDS (MR)	0.00	0.00	9.28	(9.28)	0.00	50-2210-214-15
50.2210.214.17	TITLE I SIP STIPENDS (MR)	0.00	22.62	22.62	(22.62)	0.00	50-2210-214-17
50-2220-212-1	LIBR/IMRF	3,200.00	244.50	966.36	2,233.64	30.20	50-2220-212-1
50-2220-213-1	LIBR./FICA	2,300.00	167.74	663.00	1,637.00	28.83	50-2220-213-1
50-2320-212-1	CENT.OFFICE/IMRF	4,500.00	340.49	1,362.76	3,137.24	30.28	50-2320-212-1
50-2320-213-1	CENT.OFFICE/FICA	1,000.00	233.62	935.00	65.00	93.50	50-2320-213-1
50-2320-214-1	SUPT./MEDICARE ONLY	2,200.00	158.34	633.36	1,566.64	28.79	50-2320-214-1
50-2410-212-1	ELEM.PRINC.SEC./IMRF	3,400.00	251.00	1,005.14	2,394.86	29.56	50-2410-212-1
50-2410-213-1	ELEM PRINC. SEC./FICA	2,700.00	181.24	698.64	2,001.36	25.88	50-2410-213-1
50-2410-214-1	ELEM PRINC./MED.ONLY	1,850.00	79.58	315.21	1,534.79	17.04	50-2410-214-1
50-2510-212-1	BKPR/IMRF	8,000.00	589.28	2,499.56	5,500.44	31.24	50-2510-212-1
50-2510-213-1	BKPR/FICA	6,000.00	404.30	1,714.94	4,285.06	28.58	50-2510-213-1
50-2540-212-1	CUSTODIAL/IMRF	15,000.00	1,291.50	5,076.17	9,923.83	33.84	50-2540-212-1

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I.M.R.F./Soc. Sec. Fund 50

Function 2000 Support Services

Account	Description	Current Budget	M.T.D. Activity	Y.T.D. Activity	Budget Balance	% of Budget	State Account Number
50-2540-213-1	CUSTODIAL/FICA	12,000.00	1,003.38	5,803.81	6,196.19	48.37	50-2540-213-1
50.2540.214.1	OBM-REG.SALARIES (MR)	1.00	0.00	0.00	1.00	0.00	50-2540-214-1
50-2550-212-1	BUS DRIVER-IMRF	8,000.00	564.25	2,289.63	5,710.37	28.62	50-2550-212-1
50-2550-213-1	BUS DRIVER-FICA	9,000.00	762.08	2,631.23	6,368.77	29.24	50-2550-213-1
50.2550.214.1	TRANSP-REG. SALARY (MR)	100.00	3.87	15.45	84.55	15.45	50-2550-214-1
50-2560-212-1	COOKS/IMRF	9,000.00	617.56	2,399.75	6,600.25	26.66	50-2560-212-1
50-2560-213-1	COOKS/FICA	7,000.00	448.14	1,677.61	5,322.39	23.97	50-2560-213-1
50.2560.214.1	CAFETERIA SALARIES (MR)	0.00	1.55	1.55	(1.55)	0.00	50-2560-214-1
2000	**Support Services**	98,251.00	7,452.26	31,009.03	67,241.97	31.56	* Function
50	**I.M.R.F./Soc. Sec. Fund**	164,141.00	12,496.73	48,681.51	115,459.49	29.66	Fund
Support Services							
80-2362-300-1	WORKERS` COMPENSATION INS	19,928.00	0.00	19,928.12	(0.12)	100.00	80-2362-300-1
80-2363-300-1	TORT/UNEMPLOYMENT INS.EXP.	12,000.00	1,534.49	4,264.10	7,735.90	35.53	80-2363-300-1
80-2364-300-1	PROPERTY/CASUALTY INS.EXP.	65,611.00	0.00	65,611.36	(0.36)	100.00	80-2364-300-1
80-2367-100-1	TORT/ED, INSPECT, SUPERV, SERV	93,991.00	0.00	0.00	93,991.00	0.00	80-2367-100-1
2000	**Support Services**	191,530.00	1,534.49	89,803.58	101,726.42	46.89	* Function
80	**Tort Immunity and Judgment Fund**	191,530.00	1,534.49	89,803.58	101,726.42	46.89	Fund
Support Services							
90-2540-500-1	FIRE PREV & SAFETY CAPITAL	106,970.00	9,070.40	9,070.40	97,899.60	8.48	90-2540-500-1
2000	**Support Services**	106,970.00	9,070.40	9,070.40	97,899.60	8.48	* Function
90	**Capital Improvement Fund**	106,970.00	9,070.40	9,070.40	97,899.60	8.48	Fund
	Report Total:	4,387,499.60	290,679.70	1,527,829.25	2,859,670.35	34.82	

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La Harpe CSD 347
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Invoice #	A.S.N.	Vendor Name	Description	Batch #	P.O. #	Check Date	Expense on Date	Check #	Amount	State Account #
3169	20-2540-300-1	ARCHITECHNICS	DESIGN STUDY/HLS STUDY	14		11/14/24	11/14/24	61384	5,363.84	20-2540-300-1
								Total	5,363.84	
3169	10-2560-411-1	BIMBO BAKERIES/EARTHGRAIN	CAFETERIA	14		11/14/24	11/14/24	61385	474.50	10-2560-411-1
								Total	474.50	
343	40-2550-315-1	BLUE LINE PRESSURE WASHIN	PRESSURE WASH BUSES	14		11/14/24	11/14/24	61386	240.00	40-2550-315-1
								Total	240.00	
37086	40-2550-600-1	CARSON MOTORS INC.	TEST BUS #8	14		11/14/24	11/14/24	61387	61.00	40-2550-600-1
11/04/2024	40-2550-600-1		BUS TEST #5	14		11/14/24	11/14/24	61387	61.00	40-2550-600-1
								Total	122.00	
100	20-2540-411-1	CITY OF LAHARPE	2 LOADS ROAD REPAIR	14		11/14/24	11/14/24	61388	60.00	20-2540-411-1
								Total	60.00	
46045	40-2550-300-1	CLOVER`S TIRE SHOP	SERVICE BUS #5	14		11/14/24	11/14/24	61389	152.00	40-2550-300-1
								Total	152.00	
10/24/2024	20-2540-327-1	CONSTELLATION NEWENERGY	OBM/UTIL-ELECTRIC	14		11/14/24	11/14/24	61390	5,031.61	20-2540-327-1
								Total	5,031.61	
119433	10-2560-300-1	COPPES TERMITE & PEST	MONTHLY PEST CONTROL - CAFETEI	14		11/14/24	11/14/24	61391	40.00	10-2560-300-1
								Total	40.00	
11/03/2024	20-2540-410-1	D&K BENNETT INC	OBM-CUSTODIAL SUPPLIES	14		11/14/24	11/14/24	61392	339.40	20-2540-410-1
								Total	339.40	
13712155	10-2560-300-1	DARLING INTERNATIONAL	ANNUAL SERVICE - GREASE PIT	14		11/14/24	11/14/24	61393	150.00	10-2560-300-1
								Total	150.00	
1971	10-2520-300-1	DENNIS G KOCH CPA	FISCAL SERVICES/AUDIT	14		11/14/24	11/14/24	61394	14,750.00	10-2520-300-1
								Total	14,750.00	
AR269293	10-2660-600-1	DIGITAL COPY SYSTEMS	NOV COPIER RENTAL	14		11/14/24	11/14/24	61395	1,082.36	10-2660-600-1
AR269292	10-2660-600-1		OCT COPIER RENTAL	14		11/14/24	11/14/24	61395	1,082.36	10-2660-600-1
AR269291	10.1101.211.1		SEPT COPIER RENTAL	14		11/14/24	11/14/24	61395	939.28	10-1101-211-1
								Total	3,104.00	
206196	20-2540-300-1	FRANK MILLARD & CO INC	REPLACE VALVE JH SPEC ED ROOM	14		11/14/24	11/14/24	61396	1,250.00	20-2540-300-1
								Total	1,250.00	
10/23/2024	10-2310-350-1	HANCOCK-HENDERSON QUILL	BUS BID	14		11/14/24	11/14/24	61397	35.00	10-2310-350-1

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Invoice #	A.S.N.	Vendor Name	Description	Batch #	P.O. #	Check Date	Expense on Date	Check #	Amount	State Account #
								Total	35.00	
347094	10-1101-411-14	HAND2MIND, INC.	MATH KITS - GARRISON	14		11/14/24	11/14/24	61398	319.99	10-1101-411-14
346643	10-1101-411-14		MATH KITS - GARRISON	14		11/14/24	11/14/24	61398	44.98	10-1101-411-14
								Total	364.97	
10262684	20-2540-540-1	HEART TECHNOLOGIES INC	1/2 INTERCOM STATION INSTALL	14		11/14/24	11/14/24	61399	979.18	20-2540-540-1
10262683	20-2540-540-1		1/2 INTERCOM DOOR STATIONS	14		11/14/24	11/14/24	61399	2,407.48	20-2540-540-1
10262673	20-2540-540-1		1/2 PMT NEW VERKADA CAMERAS	14		11/14/24	11/14/24	61399	45,329.56	20-2540-540-1
								Total	48,716.22	
956195432	10-1101-411-3-1	HOUGHTON MIFFLIN CO.	SOCIAL STUDIES CURRICULUM	14		11/14/24	11/14/24	61400	676.25	10-1101-411-6-3-1
								Total	676.25	
24103	10-2320-640-1	IL ASSOC OF SCHL ADM.	2024-2025 REGION MEMBERSHIP	14		11/14/24	11/14/24	61401	50.00	10-2320-640-1
								Total	50.00	
205280	20-2540-328-1	JACKSON DISPOSAL - LRS	OCT GARBAGE	14		11/14/24	11/14/24	61402	335.12	20-2540-328-1
196916	20-2540-328-1		SEPT GARBAGE	14		11/14/24	11/14/24	61402	335.12	20-2540-328-1
								Total	670.24	
134516797624	20-2540-300-1	JOHNSON CONTROLS	PROGRAM VALVE & ACTUATOR	14		11/14/24	11/14/24	61403	2,677.70	20-2540-300-1
								Total	2,677.70	
10/25/2024	10-2310-310-1	KAREN NUDD	TREASURER DUTIES	14		11/14/24	11/14/24	61404	530.00	10-2310-310-1
								Total	530.00	
53722	10-1101-413-1	KIDDER MUSIC SERVICE INC.	SAX REEDS	14		11/14/24	11/14/24	61405	17.95	10-1101-413-1
50150	10-1101-413-1		BASS CLARINET REPAIR	14		11/14/24	11/14/24	61405	87.50	10-1101-413-1
54239	10-1101-413-1		CLARINET REEDS	14		11/14/24	11/14/24	61405	13.99	10-1101-413-1
50586	10-1101-413-1		CLARINET REEDS	14		11/14/24	11/14/24	61405	20.99	10-1101-413-1
								Total	140.43	
24-331566-1	20-2540-540-1	K-LOG INC	NEW DESK - PAINTER	14		11/14/24	11/14/24	61406	998.14	20-2540-540-1
								Total	998.14	
11/04/2024	10-2560-411-1	KOHL GROCER	CAFETERIA	14		11/14/24	11/14/24	61407	5,746.16	10-2560-411-1
								Total	5,746.16	
10000303381	10-2540-340-1	LA HARPE TELEPHONE CO.	UTIL-TELEPHONE	14		11/14/24	11/14/24	61408	675.41	10-2540-340-1

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Invoice #	A.S.N.	Vendor Name	Description	Batch #	P.O. #	Check Date	Expense on Date	Check #	Amount	State Account #
								Total	675.41	
10/31/2024	20-2540-328-1	LA HARPE WATERWORKS	OBM/UTIL-WATER & SEWAGE	14		11/14/24	11/14/24	61409	348.00	20-2540-328-1
								Total	348.00	
274392	10-2560-410-1	LANTER DISTRIBUTING LLC	CAFETERIA	14		11/14/24	11/14/24	61410	112.64	10-2560-410-1
								Total	112.64	
10/31/2024	40-2550-300-1	MELTON`S AUTO	LABOR REPAIR/PARTS	14		11/14/24	11/14/24	61411	1,212.13	40-2550-300-1
								Total	1,212.13	
08/05/2024	10-2130-300-1	MEMORIAL MEDICAL CLINICS	MERSHON PHYSICAL	14		11/14/24	11/14/24	61412	102.00	10-2130-300-1
08/05/2024	10-2130-300-1		DETHERAGE PHYSICAL	14		11/14/24	11/14/24	61412	102.00	10-2130-300-1
08/20/2024	40-2550-310-1		GRAVES PHSYICAL	14		11/14/24	11/14/24	61412	115.00	40-2550-310-1
08/26/2024	20-2540-300-1		W GARRISON PHYSICAL	14		11/14/24	11/14/24	61412	27.00	20-2540-300-1
10/23/2024	40-2550-310-1		SHUMAKER ANNUAL PHSYICAL	14		11/14/24	11/14/24	61412	115.00	40-2550-310-1
								Total	461.00	
1757	20-2540-411-1	MENARDS	REPAIRS/MAINT SUPPLIES	14		11/14/24	11/14/24	61413	278.28	20-2540-411-1
5157	20-2540-411-1		REPAIRS/MAINT SUPPLIES	14		11/14/24	11/14/24	61413	31.98	20-2540-411-1
5595	20-2540-411-1		REPAIRS/MAINT SUPPLIES	14		11/14/24	11/14/24	61413	39.06	20-2540-411-1
								Total	349.32	
41383	40-2550-310-1	MID-WEST TRUCKERS ASSOC.	SHUMAKER ANNUAL TESTING	14		11/14/24	11/14/24	61414	87.00	40-2550-310-1
41383	40-2550-310-1		DONNA NELL ANNUAL TESTING	14		11/14/24	11/14/24	61414	87.00	40-2550-310-1
								Total	174.00	
10/10/2024	20-2540-321-1	NICOR GAS	UTIL.-HEATING	14		11/14/24	11/14/24	61415	429.79	20-2540-321-1
								Total	429.79	
11/01/2024	30-5300-650-1	PEOPLES NATIONAL BANK OF K	DEBT SERVICES-PRINCIPAL LONG TE	14		11/14/24	11/14/24	61416	189,000.00	30-5300-650-1
11/01/2024	30-5200-621-1		DEBT SERVICE-INT EXPENSE/LONG T	14		11/14/24	11/14/24	61416	14,517.60	30-5200-621-1
11/01/2024	30-5400-655-1		DEBT SERVICE-OTHER (AGENT FEE)	14		11/14/24	11/14/24	61416	500.00	30-5400-655-1
								Total	204,017.60	
366875744	10-1101-411-21	PEPPER & SON, INC.	TITLE IV STEAM SUPPLIES-MUSIC	14		11/14/24	11/14/24	61417	55.00	10-1101-411-21
								Total	55.00	
11/02/2024	10-2560-411-1	PRAIRIE FARMS DAIRY	CAFETERIA	14		11/14/24	11/14/24	61418	2,468.66	10-2560-411-1
								Total	2,468.66	

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Invoice #	A.S.N.	Vendor Name	Description	Batch #	P.O. #	Check Date	Expense on Date	Check #	Amount	State Account #
76607	10-1408-410-1	QUALITY NETWORK SOLUTIONS	ADAPTER	14		11/14/24	11/14/24	61419	21.00	10-1408-410-1
76756	10-1408-411-1		MONTLY CONTRACT	14		11/14/24	11/14/24	61419	2,015.66	10-1408-411-1
								Total	2,036.66	
11/01/2024	10-2140-300-1	SHAILA AYER	PSYCH SERVICES 5 EVALS	14		11/14/24	11/14/24	61420	2,250.00	10-2140-300-1
								Total	2,250.00	
712383	10.1101.211.1	THE LIBRARY STORE INC.	BOOK JACKET COVERS	14		11/14/24	11/14/24	61421	158.71	10-1101-211-1
								Total	158.71	
11/01/2024	10-4120-320-1	WEST CENT.ILL.SPEC.ED.	PER CAPITA - NOV	14		11/14/24	11/14/24	61422	337.00	10-4120-320-1
11/01/2024	10-4120-320-1		FLAT FEE - NOV	14		11/14/24	11/14/24	61422	56.00	10-4120-320-1
11/01/2024	10-4120-320-1		OT/PT-NOV	14		11/14/24	11/14/24	61422	382.00	10-4120-320-1
11/01/2024	10-2110-300-1		SOCIAL WORKER - NOV	14		11/14/24	11/14/24	61422	3,366.00	10-2110-300-1
11/01/2024	10-1205-410-4-1		ARRA IDEA PART B FLOW THROUGH-	14		11/14/24	11/14/24	61422	7,105.00	10-1205-410-4-1
11/01/2024	10-1205-410-3-1		ARRA IDEA PART B PRESCH-NOV	14		11/14/24	11/14/24	61422	282.00	10-1205-410-7-3-1
								Total	11,528.00	
37798	40-2550-411-1	WEST CENTRAL FS, INC.	290 GL GAS @ 2.48/GL	14		11/14/24	11/14/24	61423	861.74	40-2550-411-1
38069	40-2550-411-1		601 GL GAS @ 2.48/GL	14		11/14/24	11/14/24	61423	1,785.88	40-2550-411-1
								Total	2,647.62	
								Report Total	$320,607.00	

Balance Sheet

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La Harpe CSD 347

Report as of: 10/31/2024

Agency Fund or Fund Group 99

Account Class 100 Current Assets

	Description	Y.T.D. Bal.Frwd.	M.T.D. Activity	Y.T.D. Activity	State Account Number
Current Assets					
	ACTIVITY CASH IN BANK	24,837.24	4,015.80	28,853.04	99-112
100	**Current Assets**	24,837.24	4,015.80	28,853.04	* Account Class
Current Liabilities					
	Liability (AP/Disbursements)	0.00	0.00	0.00	99-402
	CONCESSIONS	(2,748.41)	0.00	(2,748.41)	99-481-1000-99
	JH GIRLS BASKETBALL	(1,741.42)	(2,785.00)	(4,526.42)	99-481-1200-99
	JH BASEBALL	(84.56)	(1,435.00)	(1,519.56)	99-481-1300-99
	JH VOLLEYBALL	(504.81)	0.00	(504.81)	99-481-1400-99
	JH BOYS BASKETBALL	(295.79)	0.00	(295.79)	99-481-1500-99
	REGIONAL TOURNAMENT	(6,552.50)	0.00	(6,552.50)	99-481-1600-99
	NOW INTEREST	(230.64)	(11.00)	(241.64)	99-481-2100-99
	MEMORIAL FUND	(499.00)	0.00	(499.00)	99-481-2200-99
	JUNIOR HIGH	(4,082.91)	(110.00)	(4,192.91)	99-481-2300-99
	BAND/MUSIC	(1,387.68)	0.00	(1,387.68)	99-481-2400-99
	LIBRARY	(1,892.67)	296.00	(1,596.67)	99-481-2500-99
	STUDENT COUNCIL FUND	(4,691.69)	0.00	(4,691.69)	99-481-2700-99
	PBIS	(125.16)	29.20	(95.96)	99-481-2800-99
400	**Current Liabilities**	(24,837.24)	(4,015.80)	(28,853.04)	* Account Class
99	**Agency Fund or Fund Group**	0.00	0.00	0.00	Fund
	Report Total:	0.00	0.00	0.00	

ATHLETIC AGREEMENT BETWEEN

DALLAS ELEMENTARY SCHOOL DISTRICT #327

LA HARPE COMMUNITY SCHOOL DISTRICT #347

1. INTRODUCTION

A. This agreement is made by and between the Boards of Education of the Dallas and

La Harpe Elementary School Districts for the 2025-2026 and 2026-2027 school years.

B. A proposed calendar/schedule for all sports, with start dates, will be shared by July 20th each year.

2. HOSTED SPORTS

A. Dallas City will host:

- 5th and 6th-grade Girls' Basketball
- 5th and 6th-grade Boys' Basketball
- 5th and 6th-grade Girls' Volleyball
- 5th, 6th, 7th, and 8th-grade Track and Field
- 5th, 6th, 7th, and 8th-grade Scholastic Bowl
- 5th, 6th, 7th, and 8th-grade Cross Country

B. La Harpe will host:

- 7th and 8th-grade Boys' Baseball
- 7th and 8th-grade Girls' Basketball
- 7th and 8th-grade Boys' Basketball
- 7th and 8th-grade Girls' Volleyball
- 5th, 6th, 7th and 8th Golf

C. Hiring of coaches will be made from a pool of candidates from both school district's advertisements. Coaches will be hired by the host school.

D. Coaches will follow the administering district's coaching guidelines and Handbook policies and the Cooperative Athletic Handbook for students.

3. TRANSPORTATION

A. Transportation to away games will be determined by the proximity of the game site. Postseason transportation opportunities will be offered equally among both districts.

B. Practice transportation will be shared by both districts. Transportation on Saturdays and non-attendance days will be provided and shared by both districts.

4. FINANCIAL ARRANGEMENTS

A. Host schools will provide payment to the coaches for the sports they host.

5. SUPERVISION

A. Scheduling, organization for the athletic contests and officials will be the responsibility of host school.

B. Coaches are responsible to ensure appropriate attendance/head count at beginning and end of event.

6. ELIGIBILITY AND CODE OF CONDUCT

A. Academic eligibility will be determined by the school in which the student-athlete attends.

B. It is the responsibility of the sending school to inform the host school of any ineligible students by Wednesday noon of each week of the season.

C. The student athlete will abide by the policies of the host school as listed in the Cooperative Athletic Handbook for students.

D. Home school is responsible for discipline of their own student athlete.

7. PHYSICALS

A. All student-athletes must have a current physical on file with the respective school. Copies will be furnished to each school upon request.

B. Athletes must provide documentation of a current physical to the Dallas City or La Harpe school office at least 2 weeks prior to the start of that sports practice. No athlete may practice or participate until the physical is turned in to the respective office and the head coach is notified.

8. LIABILITY INSURANCE WILL BE AS FOLLOWS:

A. Liability for all students utilizing transportation shall be the transporting school's responsibility.

B. Each district will assume the insurance liability for their athlete on the team as for any other athlete of that district.

9. TEAM NAME

A. The team name shall be the La Harpe/Dallas City Eagles in the sports that La Harpe hosts and shall be the Dallas City/La Harpe Bulldogs in the sports that Dallas City hosts. All programs, announcements, media communications, and other such items will include the names of both communities; e.g. La Harpe/Dallas City Eagles, or Dallas City/La Harpe Bulldogs.

10. AWARDS

A. Coaches determine the criteria for postseason awards. The host school is responsible for ordering awards.

B. IESA state level trophies will be duplicated for both schools and considered a shared district expense.

C. Host school is responsible for their own awards banquet.

11. PARTICIPATION

A. In sports with 5/6 grades and 7/8 grade teams that are administered separately (basketball and volleyball) any player may only "move up" with approval from the AD of the both districts in consultation with the cooperating district Administration, and if needed in consultation with the Sports Coop Committee members. If players are needed tryouts will be held for athletes that want to move up. Tryouts are not open to spectators.

B. 4th grade will be included in the 5th-grade programs.

Each respective school board in the cooperative has the option to consider the renewal or dissolution of the Cooperative Athletic Agreement. This agreement will be reviewed on an annual basis but will be re-negotiated every two years. Quarterly joint co-op meetings will be held.

Janet Gladu, Superintendent LCSD #347	Date	Alissa Tucker, Superintendent DESD #327	Date
Dustin Detherage, Board President LCSD #347	Date	Bob Castillo, Board President DESD #347	Date

ATHLETIC AGREEMENT BETWEEN

DALLAS ELEMENTARY SCHOOL DISTRICT #327

LA HARPE COMMUNITY SCHOOL DISTRICT #347

1. INTRODUCTION

A. This agreement is made by and between the Boards of Education of the Dallas and La Harpe Elementary School Districts for the 2023-2024, 2024-2025 school years.

B. A proposed calendar/schedule for all sports, with start dates, will be shared by July 20th each year.

2. HOSTED SPORTS

A. Dallas City will host:

5th and 6th grade Girls' Basketball

5th and 6th grade Boys' Basketball

5th and 6th grade Girls' Volleyball

5th, 6th, 7th and 8th grade Track and Field

5th 6th, 7th and 8th grade Scholastic Bowl

5th, 6th, 7th and 8th grade Cross Country

B. La Harpe will host:

6th, 7th and 8th grade Boys' Baseball
7th and 8th grade Girls' Basketball
7th and 8th grade Boys' Basketball
7th and 8th grade Girls' Volleyball
5th, 6th, 7th and 8th grade Golf

C. Hiring of coaches will be made from a pool of candidates from both school district's advertisements. Coaches will be hired by the host school.

D. Coaches will follow the administering district's coaching guidelines and Handbook policies and the Cooperative Athletic Handbook for students.

3. TRANSPORTATION

A. Transportation to away games will be determined by the proximity of the game site. Postseason transportation opportunities will be offered equally among both districts.

B. Practice transportation will be shared by both districts. Transportation on Saturdays and non-attendance days will be provided by and shared by both districts.

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C. Host school is responsible for their own awards banquet.

11. PARTICIPATION

A. In sports with 5/6 grade and 7/8 grade teams that are administered separately (basketball and volleyball) any player may only "move up" with approval from the Principal of the hosting district in consultation with the cooperating district Principal, and if needed in consultation with the Athletic Directors. If players are needed tryouts will be held for athletes that want to move up. Tryouts are not open to spectators.

B. 4th grade will be included in the 5th-grade programs when participation numbers are low. 4th grade will NOT be allowed to participate in IESA sanctioned events.

Each respective school board in the cooperative has the option to consider the renewal or dissolution of the Cooperative Athletic Agreement. This agreement will be reviewed on an annual basis but will be re-negotiated every two years. Quarterly joint co-op meetings will be held.

Revised July 18, 2023 (Adding Golf)

Janet Gladu, Superintendent LCSD #347 — Date: 7-18-23

Alissa Tucker, Superintendent DESD #327 — Date: 7-20-23

Dustin Detherage, Board President LCSD #347 — Date: 7-18-23

Bob Castillo, Board President DESD #347 — Date: 7-20-23

2023-2025

Dallas City and La Harpe Sports Cooperative Handbook for Athletes, Coaches and Activity Director

Dallas ESD 327

Superintendent/Principal	Alissa Tucker
Athletic Director	Rebecca Thompson

La Harpe CSD 347

Superintendent/Principal	Dr. Janet Gladu
Athletic Director	Ryan Hopper

2023-2025
Dallas City and La Harpe
Sports Cooperative Handbook for Athletes

Sports Cooperative

Dallas Elementary School District #327 and La Harpe Community School District #347 work cooperatively to provide sporting and extracurricular opportunities for students. Students who wish to participate in a co-op sport or activity will be expected to comply with the rules in that agreement as well as the coach's rules.

Interscholastic Philosophy Statement/Guidelines

We believe interscholastic athletics and extra-curricular activities are an integral part of the total curriculum of the school. It is believed the following statements reflect our philosophy:

- Activities must be for all boys and girls who wish to participate.
- Athletics and extra curricula must be educational and contain learning experiences that fit into the overall educational program; be controlled by school authorities, both local and state; and have been duly approved by the School Boards.
- Emphasis will be on fun, physical development, skills, social experience, good sportsmanship, and achieving team goals.
- 5th and 6th grade athletes can expect playing time in all games as long as they are meeting coach's expectations and are eligible academically. Coaches will notify the athlete and the athletic director of students who will not be playing and their reasoning.
- 7th and 8th grade athletes will participate but may not get playing time in all games.
- Students will play at their grade level unless circumstances warrant a move to a higher level due to low numbers and with Athletic Director approval.

Sportsmanship

Participants, coaches/sponsors, fans, community members, and any other representatives of Dallas Elementary School District #327 and La Harpe District #347 are expected to demonstrate the highest qualities of sportsmanship. Swearing, use of questionable language, obscene gestures, inappropriate body language, arguing, or insubordination towards game officials, coaches/sponsors, other athletes, and spectators will not be tolerated. The administration and coach/sponsor will handle these cases individually, but repeated instances will cause dismissal from the team or activity. Poor sportsmanship is never acceptable.

In addition, IESA has consequences for ejections. A player who is ejected from a contest will now be required to miss the next two contests at the level at which the ejection occurred and all contests in the interim and complete the National Federation of State High School Associations Sportsmanship course. A second ejection by the same player in any sport will result in a five-game suspension and a $100 fine. For coaches who are

ejected, the automatic two game suspension for the first offense and five game suspension for the second offense was not changed. Coaches who are ejected will still serve a two game suspension at the level at which the ejection occurred and all other contests in the interim but will now be required to complete the NFHS Sportsmanship course and pay a $100 fine. A second offense will result in a five-game suspension and a $250 fine. Coaches and students are personally responsible for their own ejection fines. The school hosting the sport will be held responsible for any fan that is ejected by requiring that fan to watch the NFHS Sportsmanship video prior to returning to watch contests and provide proof to the IESA Office that the video was viewed.

Expectations for Participants

Participants are to fully comply with district policies and regulations for participation in athletics and co-curricular activities.

Only athletes who are members of a team are to be present at practice. There shall be no parents, siblings or friends of athletes present. Coaches may ask high school athletes to help with practices.

- As long as a transfer student did not try out, practice, or participate in the previous school he/she can join the team. Participants are expected to observe all training/practice rules.
- Participants are expected to give their best effort at all times. This is for practices and contests.
- Participants are expected to represent their school in a positive manner and display outstanding sportsmanship, and high standards of acceptable social behavior.
- IESA rule 3.042 states students may participate in non-school athletic competition, either as individuals or team members, at any time they are not members of a school team in that same sport. Participation in those teams is encouraged as long as the activity does not conflict with a school sponsored sport or activity. If there is a conflict the student must be in compliance with the school sponsored activity.
- Participants are to be present for and participate fully in all practices and games/events/contests, unless excused by the coach or sponsor. Participants who know in advance that they will be absent from practice or an event for appointments or other good reasons (excluding participation on another athletic team) must discuss his/her absence with the coach/sponsor in advance. Unexcused absences from practices or games will carry penalties as determined by the coach/sponsor.
- It is required that every participant and parent/guardian sign off that they have read, understand, and will implement the activities handbook regulations.
- If a participant neglects or does not take proper care of his/her uniform, including lost items, they must pay the cost of replacing the individual uniform at a price determined by the activity director.
- Participants are expected to comply with all rules and directions governed by State sponsored events as well as all team and school rules when attending State events. This would also include any directions and rules given by coaches or other school affiliated adults during the event.

- It is the responsibility of the participant and their parents to pay for any expenses they committed to before the completion of the season.
- It is the responsibility of the participant to return within one week from the end of the season clean uniforms and/or any other clothing or gear issued to the participant during the course of the activity.
- The student must be in attendance by 10:30 a.m. in Dallas City and 11:15 a.m. in LaHarpe (based on a half-day attendance) to participate in an event that evening unless a legitimate, prearranged excuse other than personal illness is used (examples: doctor or dentist appointment, funeral, or family emergency). Weekend activities are governed by Friday's attendance. An athlete who has one or more truancies or who has been suspended from school may be suspended from participation in athletic activities by administration.

Program Development

- The head coach or sponsor will be responsible for his/her own programs. In cases where there are disagreements about program development or coordination between levels, all coaches and sponsors involved shall meet with the administration to achieve a positive resolution of any problems.
- Coaches may hold camps to teach fundamentals and skills needed for their sports.
- Students shall be encouraged to attend appropriate camps and clinics to learn fundamentals and to practice the basic skills and techniques of the activity, but attendance at camps or clinics is not mandatory to participate in athletics or co-curricular programs. Transportation must be coordinated and available if held during season.

Eligibility Requirements

- The participant, coach/sponsor, and parents will be notified if a participant becomes ineligible. All eligibility is figured at noon on Wednesday, or the day before the last day of attendance of that week. Ineligibility will be for the following week, Sunday through Saturday. Administration and or the Activities Director will notify coaches, all participants and their parents of the ineligibility.
- Participants who are ineligible may not participate in games but **are expected to be at practices and attend all athletic events**. The athlete is to sit on the bench with the team, not in uniform, and remain with the team throughout the game.
- If a co-curricular activity occurs only once per year then eligibility will be checked on those participants beginning four weeks prior to their event. For band, chorus, and speech, eligibility rules apply for competition events only.
- Participants who are listed as ineligible for a third time during the course of a season are no longer allowed to be a member of the team. Eligibility checks will begin the week prior to the first contest in an activity except for those contests that occur once a year.

Participant Expectations for Practices

No missed practices are allowed unless prior approval is received from the coach. The athlete/parent is required to notify the head coach or front office prior to missing practice. (Participants may not tell a teammate; they can't give participant approval.)

- Participants must be on time: This means he/she is dressed and ready to play at 3:30 p.m. If an athlete is late to practice, the team coach will give the consequence.
- Other sports will not infringe on DCES or LJHS sports practices. If a participant misses a practice to go and practice another sport, this will count as an unexcused absence.
- Missing practice for a family function, emergency or vacation will be addressed with each individual family.
- Being present at practice but not participating will be considered a "missed practice".

Chain of Command

Before the start of each sport, the head coach will conduct a mandatory parent meeting regarding rules, regulations and additional team rules will be distributed at that time. If at any time, an athlete or parent has an issue/concern with a coach or program, the below process should be followed:

1) Athlete meets with the coach to discuss the problem
2) Parents and/or athlete meet with the coach
3) Parents and/or athlete meet with the Athletic Director and/or Principal
4) Parents schedule a meeting with the District Superintendent
5) Parents request a meeting with the Board of Education

Coaches should never be approached to discuss a problem or complaint immediately following a game.

24 Hour Rule

Adults, parents, guardians and spectators, are not to approach a coach to discuss a situation, game, a game incident or a situation that occurred during the game that has provoked an adverse emotional response or a hostile situation until at least **24** hours after the fact.

Procedures When a Participant is Ill or Injured

Athlete health is of concern to coaches and every member of the team. In the event an athlete feels ill or injured, the student participant should notify the coach. Even minor injuries can become serious; therefore, all injuries should be reported to the coach. Any sickness/injuries will be addressed with the athlete's best interests in mind.

If an athlete is injured and has visited a doctor, a release note is REQUIRED from the doctor BEFORE the student will be allowed to resume practice.

A participant who has been excluded from PE by a licensed medical professional will not be allowed to participate in practices or games until released.

Whenever a student participant is injured or has an illness of a minor nature, he/she is required to dress out (but not participate) and stay with the team during the workout or practice. Participants learn from each practice session, whether he/she is actually practicing or simply observing.

Student Athlete Concussion Information

Before being allowed to participate in a sporting activity, a student must have a signed documentation agreeing to comply with the School District's policies and procedures on student athletic concussions and head injuries.

A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion in a practice or a game will be removed from participation or competition at that time. A student athlete who has been removed from an interscholastic contest for a possible concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer. If not cleared to return to that contest, a student athlete may not return to play, practice, P.E. or recess until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois.

2023-2025 Sports Cooperative Handbook for Athletes Signature Page

Student Acknowledgement and Pledge

I acknowledge receiving and/or being provided electronic access to the Sports Cooperative Handbook for Athletes. I have read these materials and understand all rules, responsibilities and expectations. In order to help keep my school safe, I pledge to adhere to all IESA policies, Sports Cooperative Handbook policies, School and School District rules, policies and procedures.

I understand that the Sports Cooperative Handbook for Athletes and School District policies may be amended during the year and those changes are available on the School District website or in the school office.

I understand that my failure to return this acknowledgement and pledge will not relieve me from being responsible for knowing or complying with Sports Cooperative Handbook policies for Athletes and School District rules, policies and procedures.

_____ _____

Student Signature Date

Parent/Guardian Acknowledgement

I acknowledge receiving and/or being provided electronic access to the Sports Cooperative Handbook for Athletes. I have read these materials and understand all rules, responsibilities and expectations.I understand that the Sports Cooperative Handbook for Athletes and School District policies may be amended during the year and those changes are available on the School District website or in the school office.

I understand that my failure to return this acknowledgement will not relieve me or my child from being responsible for knowing or complying with Sports Cooperative Handbook for Athletes policies and School District rules, policies and procedures.

I further understand any person, including adults (ex. parents/guardians), who behave in an unsportsmanlike manner during an athletic or extracurricular event, may be ejected from the event and/or denied admission to school events for up to a one calendar year after a Board of Education hearing. Additionally, a fan that is ejected will be required to complete the NFHS Sportsmanship course before he/she can return to watch contests. Examples of unsportsmanlike conduct include:

a. Using vulgar or obscene language;
b. Possessing or being under the influence of any alcoholic beverage or illegal substance;
c. Possessing a weapon;
d. Fighting or otherwise striking or threatening another person;
e. Engaging in any activity which is illegal or disruptive; and
f. Harassing participants, coaches, or officials in such a manner as to cause personal embarrassment or serious interference with the normal progress of the activity.
g. Failure to comply with the 24 hour rule.

_____ _____

Parent/Guardian Signature Date

2023-2025

Dallas City and La Harpe

Sports Cooperative Handbook for Coaches

Responsibility and Expectations of Coaches and Staff

1. Every coach and coaching staff member must be thoroughly familiar with the cooperative agreement and its guidelines.
2. Submit a copy of team rules to the office and Athletic Director prior to the first meeting with the team and parents for approval. It should be aligned to the Coaches and Athletic Directors Handbook as well as the Cooperative Agreement.
3. Participants are to behave and dress in a manner that represents their school in a positive way. Team rules should address standards of dress and behavior for practice and games, as well as other expectations of the coaching staff.
4. Meet with participants and parents to ensure that the coach's/sponsor's expectations and team rules are clear for all the participants and to make sure that all participants are aware and understand the Activities Handbook of Dallas Elementary and La Harpe School Districts.
5. Ensure that all participants comply with the Sports Cooperative Handbook throughout the entire season. It is the coach's responsibility to make sure that ineligible students do not compete.
6. Be fully prepared for each practice and contest. This means both physically and mentally.
7. Model and promote sportsmanship among participants, coaches, parents, fans, and community members.
8. The Coach and Assistant Coaches will give their full time and attention to the athletes and participants in their care. Therefore, children of coaches who are not participants of the sport or activity will not be permitted to ride the bus to and from practices or games or attend practices.
9. The Coach and Assistant Coaches will direct and coordinate program development together.
10. Promote their individual programs within the community and area.
11. At the end of the season, document in writing award winners and give them to the office.
12. Collect all uniforms and equipment and provide an inventory to be submitted at the end of the season, in the Excel program, to the activity director.
13. If a participant loses or does not take proper care of his/her uniform or other related items, the coach will notify the athletic director for restitution.
14. At the beginning of the season, submit to the activity director an official certification list stating the names of all students participating in the activity. Notify the activity director of any changes on a weekly basis.
15. Fill out an accident report form for any accident involving physical injury to a student under their supervision. Use the proper forms and fill them out as soon as possible following the accident and deliver them to the activity director and principal.
16. Do not allow students to return to their academic lockers or classrooms during or following practices. Do not open these areas to the students.

17. Coaches must be in the building by 3:00 P.M. for 3:30 practice times unless riding on the practice bus to the practice. Coaches must be ready to properly supervise participants at all times including when participants are practicing or competing under the auspices of the school. The coach must remain with students until they leave or are picked up by parents following practices and games. Coaches will not leave students unsupervised.
18. Check all locker rooms and exits after participants leave the area, making sure outside exits are secure.
19. When visiting other schools, please examine the dressing room area, which is assigned to our school before the team enters. Examine it again once they have left to go home. Immediately report any damage to another school's facility and determine who is responsible.
20. Coaches/sponsors must ensure safe procedures and safe conditions at every contest and every practice.
21. Schedules will be created by the athletic director and school administration. Coaches/sponsors will have all changes in practice schedules approved in advance by the activity director and the principal. After approval these schedules will be supplied to participants and their parents.
22. Except as specified elsewhere in these regulations, coaches/sponsors will not impose severe disciplinary measures or remove a participant permanently from participation. A temporary suspension of the participant pending administrative review is permitted.
23. Coaches/sponsors are expected to be aware of and able to use basic first aid procedures, as well as knowing what to do in case of serious accident, injury, or emergency. When in doubt, call the ambulance. Let the activity director know if you need a training class to learn proper medical procedures.
24. Coaches must have medical bag and student forms at all practices and games.
25. Coaches/sponsors are encouraged to attend an appropriate coaching clinic or coaching school at least once every two years.
26. All coaches will attend the appropriate rules interpretation meetings sponsored by IESA, failure to keep current will result in suspension.
27. Each coach/sponsor or activity director as deemed necessary shall add specific rules. Coaches/sponsors may impose certain rules that are stricter than the rules within this handbook with the approval of the administration.
28. Administration has the final say on any disciplinary actions taken.

<u>Chain of Command</u>

Before the start of each sport, the head coach will conduct a mandatory parent meeting regarding rules, regulations and additional team rules will be distributed at that time. If at any time, an athlete or parent has an issue/concern with a coach or program, the below process should be followed:

1) Athlete meets with the coach to discuss the problem
2) Parents and/or athlete meet with the coach
3) Parents and/or athlete meet with the Athletic Director and/or Principal
4) Parents schedule a meeting with the District Superintendent
5) Parents request a meeting with the Board of Education

Coaches should never be approached to discuss a problem or complaint immediately following a game.

24 Hour Rule

Adults, parents, guardians and spectators, are not to approach a coach to discuss a situation, game, a game incident or a situation that occurred during the game that has provoked an adverse emotional response or a hostile situation until at least **24** hours after the fact.

Scheduling

- The length, time, and dates of practices shall be determined by the coach/sponsor of each activity or sport, subject to advance approval by the activity director or administration. Coaches/sponsors must consider participants' ages, physical condition and limitations, as well as academic and community demands upon the participants when determining the length and intensity of practices.
- Practice schedules will be created by school administration and provided to the Athletic Director to share with coaches. If coaches/sponsors have conflicts or would like additional practices, they will ask the athletic director to add or remove practices.
- When setting practice times and schedules athletic director and school administration shall have respect for and give appropriate consideration to the needs of families and parents, as well as church and community organizations.
- Any desired change to the practice schedule or event must be approved in advance by the activity director and principal. School administrators have the final say in scheduling.
- Athletic director will not schedule practices until school in-service are completed unless coaches are not school personnel.
- Saturday and non attendance day practices need to be scheduled prior to the start of the season.
- Sunday practices are prohibited unless authorized by the Board of Education in advance.
- In most cases, athletic practices and games/events are canceled on days when school is dismissed early or not in session due to weather conditions.
- A game may be played the night school was canceled due to weather at the discretion of the administration under certain circumstances.

Procedures When a Participant is Ill or Injured

Student participant health is of concern to coaches and every member of your team. In the event a student participant feels ill or injured, the student participant should notify the coach. Even minor injuries can become serious; therefore, all injuries should be reported. Any sickness/injuries will be addressed with the athlete's best interests in mind.

If an athlete is injured and has visited a doctor, a release note is REQUIRED from the doctor BEFORE the student will be allowed to resume practice.

A participant who has been excluded from PE by a licensed medical professional will not be allowed to participate in practices or games until released.

Whenever a student participant is injured or has an illness of a minor nature, he/she is required to dress out (but not participate) and stay with the team during the workout or practice. Participants learn from each practice session, whether he/she is actually practicing or simply observing.

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A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion in a practice or a game will be removed from participation or competition at that time. A student athlete who has been removed from an interscholastic contest for a possible concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer. If not cleared to return to that contest, a student athlete may not return to play, practice, P.E. or recess until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois.

Transportation

1. Sponsors/Coaches will be in charge of students from the time they leave school until they return.
2. All participants must ride school provided transportation to all events. In case of serious emergency or unusual hardship exceptions may be made with prior approval of the coach. Failure to be on time for the bus is not considered a hardship or an emergency.
3. Coaches and/or sponsors must have a sign out sheet at each away event. Parents must sign their child out, indicating that their child is now in their custody. Coach is responsible for accounting for all students.
4. Parents who want their child to ride with another parent home from an event must make arrangements with the building principal, school office or coach and submit the request in writing. Oral requests will not be honored and oral permissions are not valid.
5. It is a privilege to ride the bus. If the student is removed from any bus (regular route, field trips, or extra-curricular) for a disciplinary reason, he/she is not eligible to ride any buses until reinstated. If he/she cannot ride a bus, then he/she may not participate in away games or activities.
6. Sponsors/Coaches are responsible for remaining with the students until all students have been picked up from an event or practices. Students who are riding the bus home from an event will make contact with their parents on the way home

giving an approximate time of arrival at a drop off location. Parents must be at the location when students arrive, and must pick up students at ending time from any practices. It is recommended that coaches communicate to parents when enroute home from events (i.e. heja app).

Expenses of the Team

District money is not budgeted for IESA activities. Each coach must meet with the Athletic Director and School Principal to create a budget for the season. It is the coaches' responsibility to keep a tally of all expenses for the season. At the end of the season the coach will meet with the activity director/principal to discuss the expenditures.

Awards Program

Host school will be responsible for their own awards banquet.

Coaching Salary and Mode of Payment

All coaches will receive a salary. Before final payment can be paid, all equipment and uniforms must be inventoried, and an expense summary of the season needs to be submitted to the activity director and principal.

All keys issued to coaches for the season need to be returned before final payment can be issued.

2023-2025
Dallas City and La Harpe
Sports Cooperative Handbook for Athletic Directors

RESPONSIBILITIES

1. See that all IESA and Conference Rules are followed.
2. Make a weekly check to see that all students, ~~grades 5 – 8~~, participating in an extracurricular activity are eligible. The Athletic Director will give each coach a copy of the eligibility status every Friday.
3. Work with the Transportation Clerks, in both districts, securing transportation to and from contests for the following: team members, coaches/sponsors, managers, and cheerleaders.
4. Make sure that all athletic equipment, uniforms, and supplies for activities are inventoried by the coaches at the end of each season.
5. Supervise all home and away (when needed) extracurricular activities on a scheduled arrangement with Elementary Principal and Superintendent.
6. Attend meetings of extracurricular booster clubs and provide leadership and guidance for their participation in the educational process in cooperation with the principal.
7. Attend IESA and conference meetings (Sand Valley and Hancock County) as needed.
8. Secure all referees, timekeepers, crowd control personnel, and other such personnel as necessary to conduct home activities.
9. Schedule district facilities, for practice times and home games, in a fair and equitable fashion for all extracurricular activities, within the restrictions of the district calendar.
10. Responsible for providing coaches with medical bags and student medical forms prior to first practice.
11. Responsible for accounting and maintaining proper files of all athletic physicals, accident reports, and other necessary reports (need to work with the Elementary Secretary).
12. Make sure all officials' checks (including scorekeeper, gatekeeper and bookkeeper) are available at the game. Note: Notify the bookkeeper one day prior to the game.
13. Work with coaches to schedule required extracurricular student/parent meetings.
14. Call meetings of coaching staff at the beginning of seasons or when necessary.
15. Make recommendations to the Superintendent / Principal for policy program changes as necessary.
16. Assume any responsibility that is directed by the Administration or the Board of Education.
17. Conduct all investigations of infractions of extracurricular rules and regulations of students and coaches/sponsors and then report findings and make recommendations to the administration.
18. Annually update coaches and sponsors on the rules and regulations of their association (IESA, IMEA) and conferences.

19. Attempt to remind officials 2 weeks ahead of time of upcoming events.
20. Notify the principal and bookkeeper to pay midterm and final check for coaches. Note: Must be sure all equipment, uniforms, supplies, coaches' keys, etc. are collected and inventoried before issuing final check authorization.
21. When games are postponed or canceled, call schools involved, call officials involved, and media, and reschedule time with school, when needed and then inform administration.
22. Tournament organization: set-up tournament, schools, officials, information sheets, check schools for payment of entry fees and rosters, set-up workers: ticket taker, score clock, book, door workers and fax results. Also crowd control when needed.
23. See that all awards are ordered and assist the extracurricular staff in administering these awards: See that coaches turn in a list of award winners to the office.
24. Relay school attendance daily.
25. Eligibility for all sports: check current physical dates, check insurance/permission forms, make roster sheets, weekly eligibility – fill out a sheet on D/F students and copy for the coaches and administration.
26. Prepare a coaches checklist for eligibility to play, fees, physicals, etc.
27. Home games: responsible for seeing that the score table, timers' clock, National Anthem are set up, open and lock doors, workers ready, greeting teams & officials, and checking locker rooms.
28. Work cooperatively with cooperating school staff, coaches, students, and parents to successfully implement all co-op agreements in particular scheduling home games in both districts and making necessary transportation arrangements.
29. Communication between Athletic Directors will be done effectively and follow through until completed. Any issues will be documented and communicated to administration immediately.

1% Sales Tax

MINUTES of a regular public meeting of the Board of Education of School District Number 347, Hancock County, Illinois, held in the La Harpe School District PD Room (old Band/PreK building), 404 West Main Street, La Harpe, Illinois, in said School District at 6:00 o'clock P.M., on the 19th day of November, 2024.

* * *

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

_____ _____ _____

_____ _____ _____

_____

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

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

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

_____ _____ _____

The President announced that the Board of Education would consider the adoption of a resolution directing the Regional Superintendent of Schools for The County of Hancock, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax at a rate of 1% to provide revenue to be used exclusively for school facility purposes, school resource officers, and mental health professionals, for submission to the electors of said County at the consolidated election to be held on the 1st day of April, 2025.

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

_____ _____ _____

_____ _____ _____

RESOLUTION directing the Regional Superintendent of Schools for The County of Hancock, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes, school resource officers, and mental health professionals, for submission to the electors of said County at the consolidated election to be held on the 1st day of April, 2025.

* * *

WHEREAS, Section 5-1006.7 of the Counties Code of the State of Illinois, as amended (the *"County School Facility Occupation Tax Law"*), authorizes the imposition of a tax upon all persons engaged in the business of selling tangible personal property, other than personal property titled or registered with an agency of the government of the State of Illinois, at retail in The County of Hancock, Illinois (the *"County"*), on the gross receipts of the sales made in the course of business and a service occupation tax upon all persons engaged in the County in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the County as an incident to a sale of service, at a rate of 1% to provide revenue to be used exclusively for school facility purposes, school resource officers, and mental health professionals (the *"County School Facility Occupation Taxes"*) if a proposition for the County School Facility Occupation Taxes (the *"Proposition"*) is submitted to the electors of the County at a regular election and approved by a majority of the electors voting on the Proposition; and

WHEREAS, for purposes of the County School Facility Occupation Tax Law, *"school facility purposes"* means (i) the acquisition, development, construction, reconstruction, rehabilitation, improvement, financing, architectural planning, and installation of capital facilities consisting of buildings, structures, and durable equipment and the acquisition and improvement of real property and interest in real property required, or expected to be required, in connection with the capital facilities and (ii) the payment of bonds or other obligations heretofore or hereafter issued, including bonds or other obligations heretofore or hereafter issued to refund or to continue to refund bonds or other obligations issued, for school facility purposes provided that the taxes levied to pay such bonds are abated by the amount of the taxes imposed under the County School Facility Occupation Tax Law that are used to pay such bonds; and

WHEREAS, for purposes of the County School Facility Occupation Tax Law, *"school facility purposes"* also includes fire prevention, safety, energy conservation, disabled accessibility, school security, mental health professionals, and specified repair purposes set forth under Section 17-2.11 of the School Code of the State of Illinois, as amended; and

WHEREAS, the County School Facility Occupation Tax Law provides that upon receipt of a resolution or resolutions of school district boards that represent more than 50% of the student

enrollment within the County, the Regional Superintendent of Schools for the County (the *"Regional Superintendent"*) must certify the Proposition to the proper election authority in accordance with the Election Code of the State of Illinois, as amended (the *"Election Code"*); and

WHEREAS, the Board of Education (the *"Board"*) of School District Number 347, Hancock County, Illinois (the *"District"*), deems it necessary, advisable and in the best interest of the District that the Regional Superintendent certify the Proposition to the County Clerk of the County (the *"County Clerk"*) for submission to the electors of the County at the consolidated election to be held on the 1st day of April, 2025 (the *"Election"*);

NOW, THEREFORE, Be It and It Is Hereby Resolved by the Board of Education of School District Number 347, Hancock County, Illinois, as follows:

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

Section 2. Direction to Regional Superintendent. The Regional Superintendent is hereby directed to certify the Proposition to the County Clerk in the form set forth in the County School Facility Occupation Tax Law and in accordance with the Election Code, for submission to the electors of the County at the Election.

Section 3. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. Repeal. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed, and this Resolution shall be in full force and effect forthwith upon its adoption.

Adopted November 19, 2024.

President, Board of Education

Secretary, Board of Education

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

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said resolution.

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

_____ _____ _____ _____

_____ _____ _____

The following members voted NAY:

_____ _____ _____ _____

_____ _____ _____

Whereupon the President declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records of the Board of Education of School District Number 347, Hancock County, Illinois, which was done.

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

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

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF HANCOCK)

CERTIFICATION OF MINUTES AND RESOLUTION

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education of School District Number 347, Hancock County, Illinois (the *"Board"*), and as such official I am the keeper of the records and files of the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 19th day of November, 2024, insofar as same relates to the adoption of a resolution entitled:

> RESOLUTION directing the Regional Superintendent of Schools for The County of Hancock, Illinois, to certify to the County Clerk of said County the question of imposing a retailers' occupation tax and a service occupation tax to be used exclusively for school facility purposes, school resource officers, and mental health professionals, for submission to the electors of said County at the consolidated election to be held on the 1st day of April, 2025.

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

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board on a day other than a Saturday, Sunday or legal holiday in the State of Illinois and at least 48 hours in advance of the holding of said meeting, that a true, correct and complete copy of said agenda as so posted is attached hereto as *Exhibit A,* that at least one copy of said agenda was continuously available for public review from the time of such posting until said meeting, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 19th day of November, 2024.

Secretary, Board of Education

FARM LEASE BETWEEN THE BOARD OF EDUCATION OF LA HARPE COMMUNITY SCHOOL DISTRICT, HANCOCK COUNTY, LA HARPE, ILLINOIS and TENANT

This Farm Lease is entered into on this 26 day of April, 2023, between the Board of Education of La Harpe Community School District No. 347, Hancock County, La Harpe, Illinois (hereinafter "Board"), and Ryan W. Hink (hereinafter, collectively, the "Tenant") (collectively, the "Parties").

WITNESSETH:

WHEREAS, the Board is the owner of a certain parcel of real estate described on Exhibit A attached hereto and incorporated herein (hereinafter, the "Real Estate"); and

WHEREAS, pursuant to Section 10-22.11(c) of the *School Code*, the Board may lease school land to suitable lessees for any purpose which serves the interests of the community when such land is declared to be unnecessary, unsuitable, or inconvenient for the uses of the Board during the term of the lease; and

WHEREAS, pursuant to Section 10-22.13 of the *School Code*, the Board has the power and authority to determine when a site has become unnecessary, unsuitable, or inconvenient for a school; and

WHEREAS, pursuant to Section 10-22.11(c) the Board has determined that farming serves the best interests of the community; and

WHEREAS, the Board, by entering into this agreement ("Farm Lease"), hereby determines that it has no immediate need or use for the Real Estate, that the best interests of the residents of the school district will be enhanced by entering into the Farm Lease, and that for the term of this Farm Lease, the Real Estate is unnecessary, unsuitable, and inconvenient for use by the Board.

NOW, THEREFORE, in consideration of the terms and conditions contained in this Farm Lease, the parties hereto agree as follows:

1. **Consideration.** For an annual cash rent payment of $3,415.00/year payable on August 1st of each year of the term, Tenant shall maintain the Real Estate in accordance with the terms of this Farm Lease, and in return, Tenant shall be entitled to farm the Real Estate in accordance with the terms hereof.

2. **Permitted Use.** Tenant accepts the Real Estate on an "AS-IS" basis. Tenant may use the Real Estate for agricultural purposes only and shall be entitled to keep the proceeds from the sale of any crops harvested on the Real Estate. The Tenant shall make all necessary repairs to the Real Estate at the Tenant's expense during the Lease term. This includes repairing all defects with any building or structure on the Real Estate due to damage or wear and tear. Should the Tenant wish to make any improvements to the Real Estate, the Tenant must receive the written consent of the Board which it may withhold in its sole discretion.

3. **Term.** The term of this Farm Lease shall be from 26 April 2023 to Nov 30, 2023 and the Tenant shall surrender possession at the end of this term or at the end of any extension thereof.

e. Not to cut live trees, shrubs, or foliage for sale purposes or personal uses; and

g. Not to permit the erection of any commercial advertising signs on the farm; and

h. Not to use any fertilizer, chemicals, pesticides, or any non-organic substances on the Real Estate that may adversely affect the future use of the Real Estate as a school site. Prior to using any fertilizers, chemicals, pesticides, or non-organic substances, Tenant shall notify the Board in writing of the nature of the substance contemplated to be used on the Real Estate. If the Board objects to Tenant's use of said substance, Tenant may not introduce said substance to the Real Estate.

6. **Environmental Compliance.** Upon the termination of this Farm Lease or vacation of the Real Estate, Tenant shall, at his/her sole expense, remediate and clean up any Hazardous Substances (as defined in 42 U.S.C. §9601(14), as amended) used or authorized by Tenant during the term of this Farm Lease that may affect the Board's use of the Real Estate as a school site. Tenant shall provide the Board with copies of all records, documents, and invoices relating to any substance placed on the Real Estate.

Without limiting any other indemnity rights of the Indemnities (defined in paragraph 11 below) included in this Farm Lease, Tenant shall also indemnify and hold harmless the Indemnities, as defined in paragraph 11, from and against any and all liabilities, damages, suits, penalties, judgments, costs, including attorneys' fees, and environmental cleanup, removal, response, assessment, or remediation costs arising from or related to contamination of the Real Estate or the release of any Hazardous Substance during the term of this Farm Lease.

7. **Default.** In the event the Tenant fails to comply with any of the terms hereof, the Board may, upon demand, notify Tenant that he/she/it is in default of this Farm Lease and terminate this Farm Lease. In the event the Board terminates this Farm Lease as a result of a breach by Tenant, all rental payments due hereunder shall be accelerated and shall become immediately due and payable. Moreover, Tenant shall immediately vacate the Real Estate upon notification of a termination by the Board. In the event of a default, the Tenant shall be responsible for all costs and expenses whatsoever incurred by the Board as a result of such breach, including, but not limited to, attorneys' fees.

8. **Board's Lien.** The Board's lien provided by law on crops grown or growing shall be the security for the consideration herein specified and for the faithful performance of the terms of the Farm Lease. If the Tenant fails to keep any of the agreements of this Farm Lease, all costs and attorneys' fees of the Board in enforcing collection or performance shall become obligations payable by the Tenant hereunder.

9. **Board's Right of Entry.** The Board reserves the right of itself, its agents, employees, or assigns to enter upon the Real Estate at any reasonable time for the purpose of viewing the same or of working or making repairs or improvements thereon as long as such right does not impair the Tenant's agricultural activities on the Real Estate. Further, upon constructive notice of the parties' intent to allow the Farm Lease to expire and after the Tenant's harvesting of that year's crops, the Board or its agents, employees, or assigns may enter upon the Real Estate.

other than the default specified in the express waiver and then only for the time and to the extent herein stated.

16. **Severability.** If any term covenant or condition of this Farm Lease or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Farm Lease, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this lease shall be valid and be enforced to the fullest extent permitted by law.

17. **Applicable Law.** The laws of the State of Illinois shall govern the validity, performance and enforcement of this Lease. Any action to enforce the terms of this Lease shall be brought in the Ogle County Circuit Court.

18. **Compliance with Laws.** In utilizing the Real Estate, Tenant shall comply with all applicable laws, rules, regulations and ordinances, specifically including, but not limited to, the *Illinois Human Rights Act* (775 ILCS 5/1-101 *et seq.*).

19. **Incorporation.** The recitals set forth on page one above are hereby incorporated in and made a part of this Farm Lease as if they were specifically set forth herein.

20. **Survivability.** Those paragraphs which are reasonably understood to impose obligations upon the Tenant shall survive the termination of this agreement.

THIS FARM LEASE has been entered into as of the date set forth above.

BOARD:

Board of Education
La Harpe Community School
District 347
Hancock County, Illinois

By: _____
Its: Board President

ATTEST: _____ **By:**
Board Secretary **Its:**
Date: 4/26/23

TENANT:

Ryan Wilhite
3030 E 6 Rd 2400
LaHarpe, IL 61450

By: _____
Date: 4/26/23

By: _____
Its: Board Secretary
Date: 4/26/23

FARM LEASE BETWEEN THE BOARD OF EDUCATION OF LA HARPE COMMUNITY SCHOOL DISTRICT, HANCOCK COUNTY, LA HARPE, ILLINOIS and TENANT

This Farm Lease is entered into on this 19th day of November 2024, between the Board of Education of La Harpe Community School District No. 347, Hancock County, La Harpe, Illinois (hereinafter "Board"), and Ryan Wilhite (hereinafter, collectively, the "Tenant") (collectively, the "Parties").

WITNESSETH:

WHEREAS, the Board is the owner of a certain parcel of real estate described on Exhibit A attached hereto and incorporated herein (hereinafter, the "Real Estate"); and

WHEREAS, pursuant to Section 10-22.11(c) of the *School Code*, the Board may lease school land to suitable lessees for any purpose which serves the interests of the community when such land is declared to be unnecessary, unsuitable, or inconvenient for the uses of the Board during the term of the lease; and

WHEREAS, pursuant to Section 10-22.13 of the *School Code*, the Board has the power and authority to determine when a site has become unnecessary, unsuitable, or inconvenient for a school; and

WHEREAS, pursuant to Section 10-22.11(c) the Board has determined that farming serves the best interests of the community; and

WHEREAS, the Board, by entering into this agreement ("Farm Lease"), hereby determines that it has no immediate need or use for the Real Estate, that the best interests of the residents of the school district will be enhanced by entering into the Farm Lease, and that for the term of this Farm Lease, the Real Estate is unnecessary, unsuitable, and inconvenient for use by the Board.

NOW, THEREFORE, in consideration of the terms and conditions contained in this Farm Lease, the parties hereto agree as follows:

1. **Consideration.** For an annual cash rent payment of **$3,415 per year** payable on August 1st of each year of the term, Tenant shall maintain the Real Estate in accordance with the terms of this Farm Lease, and in return, Tenant shall be entitled to farm the Real Estate in accordance with the terms hereof.

2. **Permitted Use.** Tenant accepts the Real Estate on an "AS-IS" basis. Tenant may use the Real Estate for agricultural purposes only and shall be entitled to keep the proceeds from the sale of any crops harvested on the Real Estate. The Tenant shall make all necessary repairs to the Real Estate at the Tenant's expense during the Lease term. This includes repairing all defects with any building or structure on the Real Estate due to damage or wear and tear. Should the Tenant wish to make any improvements to the Real Estate, the Tenant must receive the written consent of the Board which it may withhold in its sole discretion.

3. **Term.** The term of this Farm Lease shall be from 19 November 2024 to 30 October 2026, and the Tenant shall surrender possession at the end of this term or at the end of any extension thereof.

TENANT WAIVES ANY RIGHTS IT MAY HAVE TO RECEIVE A WRITTEN NOTICE TO QUIT OR A WRITTEN NOTICE OF NONRENEWAL OF THIS FARM LEASE FROM THE BOARD.

4. **Extension.** Extensions must be agreed to by the Parties in writing. Additionally, the Parties agree that the failure to execute an extension at least two (2) months before the end of the current term shall be constructive notice of intent to allow the Farm Lease to expire.

5. **Tenant's Duties in Operating Farm.** The Tenant agrees that he/she/it will perform and carry out the stipulations below:

A. Activities required:

1. To cultivate, plant and harvest the farm faithfully and in a timely, thorough, and businesslike manner using sustainable crop management methods; and

2. To prevent noxious weeds from going to seed on said Real Estate and to destroy the same and keep the weeds and grass cut; and

3. To keep open ditches, tile drains, tile outlets, grass waterways, and terraces in good repair; and

4. To preserve established watercourses or ditches and to refrain from any operation that will injure them; and

5. To take proper care of all trees, vines, shrubs, and other foliage and to prevent injury to the same; and

6. To prevent all unnecessary waste, loss, or damage to the property of the Board; and

7. To comply with rules and regulations of the Illinois Pollution Control Board, and other governmental agencies or rules, regulations, or laws applicable to farming and the application of fertilizer and pesticides.

B. Activities restricted:

1. The Tenant further agrees, unless he/she/it shall first have obtained the written consent of the Board, which may be withheld in its sole discretion:

   a. Not to assign this Farm Lease to any person or entity or to sublet any part of the Real Estate; and

   b. Not to erect or permit to be erected any structure or building or to incur any expense to the Board for such purpose; and

   c. Not to permit, encourage, or invite other persons to use any part or all of the Real Estate for any purpose or activity not directly related to its use for agricultural production; and

   d. Not to plow permanent pasture or meadowland; and

e. Not to cut live trees, shrubs, or foliage for sale purposes or personal uses; and

g. Not to permit the erection of any commercial advertising signs on the farm; and

h. Not to use any fertilizer, chemicals, pesticides, or any non-organic substances on the Real Estate that may adversely affect the future use of the Real Estate as a school site. Prior to using any fertilizers, chemicals, pesticides, or non-organic substances, Tenant shall notify the Board in writing of the nature of the substance contemplated to be used on the Real Estate. If the Board objects to Tenant's use of said substance, Tenant may not introduce said substance to the Real Estate.

6. **Environmental Compliance.** Upon the termination of this Farm Lease or vacation of the Real Estate, Tenant shall, at his/her sole expense, remediate and clean up any Hazardous Substances (as defined in 42 U.S.C. §9601(14), as amended) used or authorized by Tenant during the term of this Farm Lease that may affect the Board's use of the Real Estate as a school site. Tenant shall provide the Board with copies of all records, documents, and invoices relating to any substance placed on the Real Estate.

Without limiting any other indemnity rights of the Indemnities (defined in paragraph 11 below) included in this Farm Lease, Tenant shall also indemnify and hold harmless the Indemnities, as defined in paragraph 11, from and against any and all liabilities, damages, suits, penalties, judgments, costs, including attorneys' fees, and environmental cleanup, removal, response, assessment, or remediation costs arising from or related to contamination of the Real Estate or the release of any Hazardous Substance during the term of this Farm Lease.

7. **Default.** In the event the Tenant fails to comply with any of the terms hereof, the Board may, upon demand, notify Tenant that he/she/it is in default of this Farm Lease and terminate this Farm Lease. In the event the Board terminates this Farm Lease as a result of a breach by Tenant, all rental payments due hereunder shall be accelerated and shall become immediately due and payable. Moreover, Tenant shall immediately vacate the Real Estate upon notification of a termination by the Board. In the event of a default, the Tenant shall be responsible for all costs and expenses whatsoever incurred by the Board as a result of such breach, including, but not limited to, attorneys' fees.

8. **Board's Lien.** The Board's lien provided by law on crops grown or growing shall be the security for the consideration herein specified and for the faithful performance of the terms of the Farm Lease. If the Tenant fails to keep any of the agreements of this Farm Lease, all costs and attorneys' fees of the Board in enforcing collection or performance shall become obligations payable by the Tenant hereunder.

9. **Board's Right of Entry.** The Board reserves the right of itself, its agents, employees, or assigns to enter upon the Real Estate at any reasonable time for the purpose of viewing the same or of working or making repairs or improvements thereon as long as such right does not impair the Tenant's agricultural activities on the Real Estate. Further, upon constructive notice of the parties' intent to allow the Farm Lease to expire and after the Tenant's harvesting of that year's crops, the Board or its agents, employees, or assigns may enter upon the Real Estate.

10. **Extent of Agreement.** The terms of this Farm Lease shall be binding on the heirs, executors, administrators, and assigns of both the Board and Tenant in like manner as upon the original parties.

11. **Insurance.** Tenant shall obtain commercial general liability insurance insuring against any liability and property damage or loss arising from or related to Tenant's use or occupancy of the Real Estate with liability limits of not less than one million dollars ($1,000,000) per occurrence and in the aggregate. All policies must be on an occurrence basis, not a claims-made basis. The Board, its individual Board members, agents, and employees ("Indemnities") shall be named as additional insureds on such policy. Tenant shall keep such insurance in continuous force and effect throughout the term of this Farm Lease and any extensions thereof. Tenant shall provide a certificate of insurance upon the execution of this Farm Lease. Additionally, upon request by the Board, the Tenant shall provide the Board with a copy of the insurance policy and all endorsements thereto. To the fullest extent permitted by the applicable insurance policy, Tenant waives any rights of subrogation it or any of its insurers may have against the Indemnities

12. **Indemnity and Hold Harmless.** Tenant covenants and agrees to hold the Indemnities harmless and to indemnify them from all losses, damages, liabilities, or expenses of any kind, including without limitation attorneys' fees and court costs incurred, suffered, or claimed by anyone whosoever, or for any damage or injury to any persons or property from any cause whatsoever, by reason of the use or occupancy by Tenant, its agents, employees, invitees, or visitors on the Real Estate, or any breach of this Farm Lease.

The Board shall not be liable for any damage to, or loss of, property on the Real Estate belonging to Tenant, its employees, agents, visitors, licensees, or other persons in or about the Real Estate, or for damage or loss suffered by the business of Tenant, from any cause whatsoever, whether the damages or injuries result from conditions arising upon the Real Estate or from other sources. The Board shall not be liable in any manner to Tenant, its agents, employees, invitees, or visitors for any injury or damage to Tenant, Tenant's agents, employees, invitees, or visitors, or their property, caused by the criminal or intentional misconduct or by any act or neglect of third parties or of Tenant, Tenant's agents, employees, invitees, or visitors, or of any other Tenant. Tenant covenants that no claim shall be made against the Board by Tenant, or by any agent or servant of Tenant, or by others claiming the right to be on the Real Estate through or under Tenant, for any injury, loss, or damage, other than the gross negligence of the Board. In no event shall any of the Indemnities be liable to Tenant for any consequential damages, or lost profit sustained by Tenant arising out of the loss or damage to any property of Tenant.

13. **Assignment and Subletting.** Tenant shall not assign, transfer, mortgage, or encumber this Farm Lease or sublet the Real Estate without obtaining the prior written consent of the Board, nor shall any assignment or transfer of this Farm Lease be effectuated by operation of law or otherwise without the prior written consent of the Board; in any such case, such consent may be withheld in the sole and absolute subjective discretion of the Board.

14. **Property Taxes.** Tenant shall be responsible for all property taxes and assessments of any kind and nature whatsoever assessed against the Real Estate during the term of this Farm Lease.

15. **Waiver.** No waiver of any default of Tenant hereunder shall be implied from omission by the Board to take any action on account of such default, and no express waiver shall affect any default

other than the default specified in the express waiver and then only for the time and to the extent herein stated.

16. **Severability.** If any term covenant or condition of this Farm Lease or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Farm Lease, or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant or condition of this lease shall be valid and be enforced to the fullest extent permitted by law.

17. **Applicable Law.** The laws of the State of Illinois shall govern the validity, performance and enforcement of this Lease. Any action to enforce the terms of this Lease shall be brought in the Ogle County Circuit Court.

18. **Compliance with Laws.** In utilizing the Real Estate, Tenant shall comply with all applicable laws, rules, regulations and ordinances, specifically including, but not limited to, the *Illinois Human Rights Act* (775 ILCS 5/1-101 *et seq.*).

19. **Incorporation.** The recitals set forth on page one above are hereby incorporated in and made a part of this Farm Lease as if they were specifically set forth herein.

20. **Survivability.** Those paragraphs which are reasonably understood to impose obligations upon the Tenant shall survive the termination of this agreement.

THIS FARM LEASE has been entered into as of the date set forth above.

BOARD:

Board of Education
La Harpe Community School
District 347
Hancock County, Illinois

By: _____

Its: _____

ATTEST: _____ **By:**

_____ **Its:**

Date: _____

TENANT:

_____
_____
_____
_____

By: _____

Date: _____

By: _____

Its: _____

Date: _____

Memorandum of Understanding (MOU) between the La Harpe Community School District 347 and the La Harpe Education Association.

Amendment to 6.6 Ticket Takers, Time Keepers, Scorers and Moderators
The amount listed in the CBA will increase from $25.00 for each regularly scheduled event to $45.00 for each regularly scheduled event, effective July 1, 2024.

For the La Harpe Education Association
Affiliated with the IEA/NEA

_____
Co-President Date

_____
Co-President Date

For the Board of Education of the La Harpe Community School District #347, Hancock County

_____
President Date

_____
Vice-President Date

Gmail Janet Gladu <jgladu@laharpeeagles.com>

FW: La Harpe Elem. & Jr. High School - Cafeteria 26348A

Jacques Reynolds <jreynolds@architechnicsinc.com> Wed, Nov 6, 2024 at 10:20 AM
To: Janet Gladu <jgladu@laharpeeagles.com>, "msiegfried@laharpeeagles.com" <msiegfried@laharpeeagles.com>
Cc: Jason Shimp <jshimp@architechnicsinc.com>

I heard from John Runge at ISBE this morning. I sent him the attached list of potential items yesterday and he did not reject any of the listed items, but he also said that ISBE individuals upstream from him will have the final say. I am cautiously optimistic, but we might be able to get a good chunk of the funding for the new addition through HLS bonds after all.

We do need to go ahead and complete the hazardous material survey for the cafeteria.

If you guys agree, please go ahead and sign Ideal's proposal from yesterday so we can get that work going. Please copy me on any correspondence with Ideal so I can see what is taking place.

Once that survey is completed, I will formally send the list through IWAS to the ROE and ISBE.

[Quoted text hidden]

La Harpe Cafeteria HLS Items 20241105.pdf
103K

ARCHITECHNICS

La Harpe CUSD Cafeteria Building
List of Items to Repair with HLS Funding
November 5, 2024

			Total Building SF	40.5	80.5		3260.25
			Cafeteria SF	40.5	60		2430

	Item	Rule	Description	Qty	$/unit		$
1.0	Asbestos Floor Tile		hazardous material present; tile is friable	2430	30	$	72,900.00
2.0	Lead paint	185.390.m.1	likely present; need to test for confirmation	1616	20	$	32,320.00
3.0	Flame Spread - Walls (paint on metal)	185.390.j.4.B & Appendix A.Table K	unknown, need to test; must be less than 75	1936			
4.0	Flame Spread - Ceiling (acoustical tiles)	185.390.j.4.c	unknown, need to test; must be less than 75	3260			
5.0	Inadequate Ventilation	IMC 403	listed on current survey			$	45,000.00
6.0	Exterior Windows	185.370.m.6.C	not weathertight; 10 openings; glazing seals failing; windows are no longer in production	10	3500	$	35,000.00
7.0	Exterior Doors	185.370.m.6.C	not weathertight; 3 openings; doors patched, reparied in the past; door hardware is no longer in production	3	7500	$	22,500.00
8.0	Kitchen/Cafeteria Fire Seperation	185.390.f.2.A; 185.390.g.4.B.ii	no seperation exists; rolling counter door req'd			$	30,000.00
9.0	Kitchen/Cafeteria Fire Seperation	185.390.f.2.A; 185.390.g.4.B.ii	no seperation exists; add two doors			$	20,000.00
10.0	Kitchen/Cafeteria Fire Seperation	185.390.f.2.A; 185.390.g.4.B.ii	no seperation exists; add fire damper in duct			$	10,000.00
11.0	Kitchen/Cafeteria Fire Seperation	185.390.f.2.A; 185.390.g.4.B.ii	extend walls above ceiling to deck			$	50,000.00
12.0	No Student Restrooms	III. Plumbing Code 1959	no restrooms for students exist in the building; students must travel to adjacent buildings for restrooms	600	1000	$	600,000.00
13.0	Light Fixtures Missing Covers			30	500	$	15,000.00
						$	842,720.00
	Contingency			10%		$	84,272.00
	A/E Fees			10%		$	84,272.00
						$	1,011,264.00
	Recommended Items						
14.0	ADA Accesibility	**Items above create major renovation project of more than 50% of reproduction cost - triggers full ADA compliance**	cafeteria/kitchen is not ADA accessible from other buildings; 100' x 10' hall from across street	1000	500	$	500,000.00
15.0	ADA Accessibility		Staff restroom in the kitchen is not compliant; not possible to make compliant; size cannot increase				-
16.0	Security		Building is not attached to other buildings where instruction takes place; travel outside and across street required				-
17.0	Energy Efficiency		Roof is not energy efficient; spray foam roof	3260	25	$	81,500.00
18.0	Energy Efficiency		Exterior wall is not energy efficient; build new wall inboard ext'g for insul	968	70	$	67,760.00
						$	649,260.00
	Contingency			10%		$	64,926.00
	A/E Fees			10%		$	64,926.00
						$	779,112.00
	Grand Total					**$**	**1,790,376.00**
			New Cafeteria Estimated Cost	*3260.25*	*500*	*$*	*1,630,125.00*

La Harpe CUSD Band Building
List of Items to Repair with HLS Funding

		Total Building SF	xx	xx		#VALUE!
		Cafeteria SF	xx	xx		#VALUE!
1.0	Asbestos Floor Tile	hazardous material present; tile is under carpet and adhered to wood floor	xx		20	#VALUE!

La Harpe CUSD Johnson Building
List of Items to Repair with HLS Funding

		Total Building SF	xx	xx		#VALUE!
		Cafeteria SF	xx	xx		#VALUE!
1.0	Asbestos Floor Tile	hazardous material present	xx		20	#VALUE!
2.0	Roof Leaks					
3.0	Building wall leaks where below grade					
4.0	Exterior Windows	not weathertight; xx openings; glazing seals failing; windows are no longer in production				

ISSUE 117
October 2024

Update Memo

Please distribute to board members and appropriate staff.

PRESS

Policy Reference Education Subscription Service

This publication is designed to provide information only and is not a substitute for legal advice from the Board Attorney. If you have any questions, please contact Debra Jacobson, Associate General Counsel and **PRESS** Editor, 630/629-3776, ext. 1211; Jeremy Duffy, IASB Deputy Executive Director/ General Counsel and Assistant **PRESS** Editor, 630/629-3776, ext. 1226; Maryam Brotine, Associate General Counsel and Assistant **PRESS** Editor, 630/629-3776, ext. 1219; or Megan Mikhail, Assistant General Counsel and Assistant **PRESS** Editor, 630/629-3776, ext. 1215.

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Online Instructions

Please follow these four easy steps to log in to **PRESS**:

- Go to www.iasb.com and click on the button on the top navigation.

1. Enter your email address and password.
   - If you do not know your password, do not create a new account; reset your password using your district email address. Use the "forgot your password?" link. Make sure to check your spam folder for an email from info@iasb.com, if you do not see it in your email inbox.
   - If you are still having difficulty logging in, please contact your District's Superintendent or Administrative Assistant to make sure you are listed as an authorized user on the District Roster.
   - If you continue to have difficulty signing on to www.iasb.com, please contact Michael Ifkovits at mifkovits@iasb.com.
3. Click the button on the top navigator bar. This will bring you to your account page
4. Under "**My Account Links**," click on "**PRESS Login**."

IASB Illinois Association of School Boards
Lighting the Way to Excellence in School Governance

Please share this **PRESS Update Memo with all board members and appropriate staff.**

Two other important components of **PRESS** may be viewed and downloaded from **PRESS Online**: Committee Worksheets and the updated Policy Reference Manual (**PRM**) pages.

The Committee Worksheets, found by selecting a *PRESS Issue* at the top of the **PRESS Online** Table of Contents, show suggested changes to **PRESS** material by striking out deleted words and underscoring new words, a.k.a. "tracked changes."

For answers to common questions about using **PRESS**, see Q&A: Getting the Most Out of Your PRESS Subscription, now available on IASB's website.

Updated **PRM** pages can be found in the IASB POLICY REFERENCE MANUAL Table of Contents. For visual instruction about how to download and use **PRM** pages to update your policy manual, please go to www.iasb.com/policy/ to view the **PRESS** video tutorial located under the header entitled: **PRESS** – Policy Reference Education Subscription Service.

Have feedback on **PRESS** materials? Click on the **PRESS** Feedback Button, located on the header bar of **PRESS** Online. For answers to more immediate questions about **PRESS** content, please contact a **PRESS** editor directly.

PRESS Bundles

Each bundle summarizes the global reasons for changes to all materials that are listed.

Specific details about how each piece of material changed, e.g., legislation, administrative rules, **PRESS** Advisory Board feedback, quality assurance, five-year review items, etc., are explained in numerical order in the **Revisions to Policies, Administrative Procedures, and Exhibits** table beginning on p. 7.

Please spend time reviewing the **PRESS** online Committee Worksheets for these materials, which will provide further, more on-the-spot detailed explanations in the footnotes, along with added comment boxes by the **PRESS** Editors when necessary.

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Board Governance

During the second half of the 103rd General Assembly, the legislature passed laws impacting school board governance:

1. 105 ILCS 5/10-16a(b-10), added by P.A. 103-771, eff. 6-1-25, adds training on student outcomes as a required component of professional development and leadership training that a board member must take within the first year of his or her first term.
2. 105 ILCS 5/5-1(d), added by P.A. 103-790, allows school boards in Cook County that have withdrawn from the authority of the township treasurer to appoint a township treasurer to serve as its school treasurer.

The U.S. Supreme Court also issued a key decision that may impact how board members and district employees conduct themselves on social media platforms. In the case *Lindke v. Freed*, 601 U.S. 187 (2024), the Court held that a government official's speech on social media will be subject to the requirements of the First Amendment only if the official: (1) has actual authority to speak on behalf of the government on a particular matter; and (2) purports to exercise that authority when speaking on social media. The case emphasized the practical importance of maintaining a clear separation between personal and official social media accounts.

In response to these legal developments, the following **PRESS** materials are updated:

2:110, Qualifications, Term, and Duties of Board Officers
2:120, Board Member Development
2:140, Communications To and From the Board
5:125, Personal Technology and Social Media; Usage and Conduct
8:10, Connection with the Community

District Operations and Safety

The General Assembly passed laws related to school district operations and safety:

1. 105 ILCS 5/17-2A, amended by P.A. 103-601, extends the time period during which a district may transfer money from specified funds for any purpose through 6-30-26.
2. 30 ILCS 235/2, amended by P.A. 103-880, eff. 1-1-25, allows boards to adopt a resolution to authorize investment in instruments not specifically authorized by the Public Funds Investment Act if the investments comply with other law and board policy.
3. 105 ILCS 5/19-3, amended by P.A. 103-591, allows a board to build or purchase a building for classroom or instructional purposes without a referendum if the board determines the building or purchase will result in an increase in pre-K or kindergarten classroom space in the district. The amendment also makes certain changes related to the calculation of a district's statutory debt limitation.

PRESS Terminology

What are the meanings of the "AP" and "E" after certain policy numbers?

The **PRESS** Policy **R**eference **M**anual (**PRM**) is an encyclopedia of sample board policies, administrative procedures, and exhibits. They are all in numerical order for easy reference. **PRESS** recommends that local school districts maintain separate board policy and administrative procedure manuals to help distinguish for the board, staff, students, parents, and community members, the distinction between board documents and staff documents, board work, and staff work.

Policy. The board develops policies with input from various sources like district administrators, the board attorney, and **PRESS** materials. The board then formally adopts the policies, often after more than one consideration.

> **After adoption by the board, each policy should have an adoption date.**

Administrative Procedures. Administrative procedures are developed by the superintendent, administrators, and/or other district staff members. The staff develops the procedures that guide implementation of the policies. Administrative procedures are not adopted by the board, which allows the superintendent and staff the flexibility they need to keep the procedures current. **PRESS** sample procedures are numbered to correspond with the policies that they implement for easy reference. For example, policy 6:190's related administrative procedure is 6:190-AP.

> **Administrative procedures should be dated for implementation by the administrative staff and kept separately from the board policy manual.**

Exhibits. Both board policies and administrative procedures may have related exhibits. Exhibits provide information and forms intended to be helpful to the understanding or implementation of either a board policy or administrative procedure, and they do not require formal board adoption. **PRESS** sample exhibits are numbered to correspond to the related board policy or administrative procedure. For example, Board Policy 2:70 has a related exhibit numbered 2:70-E. Administrative procedure 7:340-AP1 has a related exhibit numbered 7:340-AP1, E.

> **Exhibits labeled with an "E" may provide guidance for board work or staff work. Those providing guidance for board work should be dated for implementation by the board. Those providing guidance for the staff should be dated for implementation by the administrative staff.**
>
> **Administrative procedures exhibits, always labeled with the "AP, E" format should be dated for implementation by the administrative staff.**

4. 105 ILCS 5/2-3.204 (final citation pending), added by P.A. 103-736, eff. 1-1-25, requires the Ill. State Board of Education (ISBE) to compile and web post resources on indoor air quality for schools.
5. 105 ILCS 5/10-20.97, added by P.A. 103-1019, eff. 1-1-25, requires that a district have an AED at all attendance centers during the school day and during school-sponsored extracurricular activities held on school grounds.
6. 105 ILCS 128/60, added by P.A. 103-608, eff. 1-1-25, requires districts to develop a cardiac emergency response plan.
7. 105 ILCS 128/45, amended by P.A. 103-780, makes changes to the members of a threat assessment team.
8. 105 ILCS 5/10-27.1A and 5/10-27.1B, amended by P.A.s 103-609 and 103-780, require building principals to annually report verified incidents related to drugs and firearm possession to ISBE through its School Incident Reporting System.

The following **PRESS** materials are updated:

3:60-E, Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security
4:10, Fiscal and Business Management
4:30, Revenue and Investments
4:40, Incurring Debt
4:150, Facility Management and Building Programs
4:160, Environmental Quality of Buildings and Grounds
4:170, Safety
4:170-AP1, Comprehensive Safety and Security Plan
4:190, Targeted School Violence Prevention Program
4:190-AP2, Threat Assessment Team (TAT)

Employment and Civil Rights

There have been a number of legal updates related to employment issues and the civil rights of employees and/or students:

1. 775 ILCS 5/2-102(A), amended by P.A. 103-797, eff. 1-1-25, prohibits employers from discriminating against employees on the basis of the employee's *family responsibilities*.
2. 775 ILCS 5/1-102(A) and 5/1-103(Q), amended by P.A. 103-785, eff. 1-1-25, prohibits employers and public accommodations (including schools) from discriminating against individuals on the basis of their *reproductive health decisions*.
3. 775 ILCS 5/2-102(L), added by P.A. 103-804, eff. 1-1-26, prohibits employers from using artificial intelligence in a manner that subjects employees to unlawful discrimination.
4. 820 ILCS 55/13, added by P.A. 103-873, prohibits employers from imposing work authorization verification requirements that go beyond what is required by federal law.
5. 29 C.F.R. Part 541, amended by 89 Fed. Reg. 32842, raises the salary threshold for exempt employees under the Fair Labor Standards Act in accordance with a specific schedule.
6. 325 ILCS 5/7, amended by P.A. 103-624, eff. 1-1-25, eliminates the requirement for mandated reporters to confirm their reports in writing to the local Ill. Dept. of Children and Family Services (DCFS) field office within 48 hours of the initial oral report.
7. 105 ILCS 5/22-93, amended by P.A. 103-1020, adds an exemption to the school counselor gift ban covering certain travel expenses paid by a higher education institution for the counselor's attendance at one of its educational or military programs.
8. 820 ILCS 40/2, amended by P.A. 103-727, eff. 1-1-25, grants employees the ability to inspect, copy, and receive copies of their personnel records upon written request at least two times per calendar year.

The following **PRESS** materials are updated or created in response to these legal updates:

2:105, Ethics and Gift Ban
5:10, Equal Employment Opportunity and Minority Recruitment
5:20, Workplace Harassment Prohibited
5:30, Hiring Process and Criteria
5:30-AP2, Investigations
5:35, Compliance with the Fair Labor Standards Act
5:35-AP1, Fair Labor Standards Act Exemptions
5:120, Employee Ethics; Code of Professional Conduct; and Conflict of Interest
5:150, Personnel Records
5:150-AP, Personnel Records
5:150-E, Employee Request Form for Personnel Records — **NEW**
7:10, Equal Educational Opportunities

PRESS Issue 117 Trivia

291 pages • 69,759 words • 52 PRM materials

Certain **PRM** materials in a **PRESS** Issue may be labeled in the **PRESS** Bundles, Revision Table and Committee Worksheets with one or more of the following categories:

NEW. This material is brand new to the **PRM**.

RENUMBERED. This material has been assigned a new number within the **PRM**, usually due to the addition of **NEW** material.

RENAMED. The title of the material has been amended.

REWRITTEN. The material has undergone significant revisions. To preserve the readability of the Committee Worksheets, suggested changes are not shown as tracked changes.

REFORMATTED. Non-substantive changes in formatting, e.g., list renumbering, have been applied for consistency throughout the **PRM**. To preserve the readability of the Committee Worksheets, such formatting changes are not reflected as tracked changes.

Student Attendance and Records

The General Assembly amended the requirements for approval of a district's e-learning program, which allows districts to implement remote student attendance days instead of using emergency days. 105 ILCS 5/10-20.56, amended P.A. 103-780, now requires the regional office of education (or intermediate service center) to verify a district's e-learning program annually before the implementation of any e-learning days in that school year, rather than by September 1.

The General Assembly also enacted P.A. 103-624, eff. 1-1-25, which amends the Abused and Neglected Child Reporting Act, 325 ILCS 5/8.6, to clarify that upon the request of DCFS, a district must purge a final report of an indicated finding that was overturned in accordance with the Ill. Student Records Act. Districts are no longer required to return any such reports to DCFS.

The following **PRESS** materials are updated in response to this legislation:

5:90, Abused and Neglected Child Reporting
6:20, School Year Calendar and Day
6:20-AP, Remote and/or Blended Remote Learning Day Plan(s)
7:340-AP1, School Student Records

Curriculum and Accelerated Placement

The 102nd General Assembly enacted P.A. 102-917, which requires boards, by 7-1-25, to implement or opt out of (in whole or in part) career exploration and development activities in grades 6-12 and College and Career Pathway Endorsements in grades 9-12. Sample **PRESS** policy 6:60, *Curriculum Content*, includes new footnotes that explain boards' choices in these areas. During the 103rd General Assembly, P.A. 103-810 expanded the requirement to provide instruction on the dangers of fentanyl beyond high school to includes grades 6-8. P.A. 103-764 gives districts the option to provide at least 20 minutes of *relaxation activities* to support student mental health.

In the area of accelerated placement, 105 ILCS 5/2-3.64a-15, amended by P.A. 103-946, allows ISBE to require standardized assessments to be used for diagnostic and screening purposes to determine if students need accelerated placement. P.A. 103-263 amended accelerated placement provisions in 105 ILCS 5/14A to define *advanced academic programs* and to permit a district's accelerated placement policy to include or incorporate procedures to promote equity. P.A. 103-743 made more extensive changes to 105 ILCS 5/14A, including by amending 105 ILCS 5/14A-32(a-5) to only require automatic enrollment into the next most rigorous level of advanced coursework for "a student who ~~meets or~~ exceeds State standards." The automatic enrollment into the next most rigorous level of advanced coursework for "a student who meets State standards" is now required to be in policy by the beginning of the 2027-28 school year. It is not clear why these changes were made and nothing in the law prohibits districts from continuing to offer automatic enrollment to students who meet State standards. Please consult with your board attorney regarding this change.

The following **PRESS** materials are updated in response to this legislation:

6:60, Curriculum Content
6:65, Student Social and Emotional Development
6:60-AP1, Comprehensive Health Education Program
6:135, Accelerated Placement Program
6:135-AP, Accelerated Placement Program Procedures
6:340, Student Testing and Assessment Program

Student Behavior, Appearance, and Health

Laws have been passed and guidance has been issued which impact the areas of student behavior, appearance, and health:

1. 105 ILCS 5/2-3.204 (final citation pending), added by P.A. 103-641, requires districts to web post the same informational material about Type I diabetes that will be made available on ISBE's website.
2. 105 ILCS 5/24-24, amended by P.A. 103-806, eff. 1-1-25, defines *corporal punishment*, which is prohibited in schools in all circumstances.
3. 105 ILCS 5/10-22.24b, amended by P.A. 103-780, makes updates to the services school counselors may provide to students.
4. 105 ILCS 5/27-8.1(8.5), amended by P.A. 103-985, removes the requirement for districts to provide information to parents/guardians on meningococcal disease and meningococcal vaccinations.
5. ISBE's *Guidance on Display of Graduation Attire and Inclusion of Culturally Appropriate Regalia* (June 2024) provides information to districts on the implementation of P.A. 103-463.
6. ISBE's *Racism-Free Schools Law and Bullying Prevention Data Collection Guidance* (8-7-24) provides guidance to districts on how to comply with new obligations under 105 ILCS 5/27-23.7, amended by P.A. 103-47, and 105 ILCS 5/2-3.196, added by P.A. 103-472, to collect and report incidents of bullying, discrimination, harassment, and retaliation.
7. 720 ILCS 5/12C-50(a-1), added by P.A. 103-765, eff. 1-1-25, provides that consent to being hazed is not a defense to the criminal offense of hazing.
8. 23 Ill.Admin.Code 1.285, amended at 48 Ill.Reg. 8535, makes certain changes to the requirements for use of isolated time out, time out, and physical restraint.
9. 105 ILCS 5/10-22.6(b-25), amended by P.A. 103-896, requires districts to provide appropriate and available support services to students who are suspended out-of-school for 4 (formerly 5) or more school days.

The following **PRESS** materials are updated:

2:250-E2, Immediately Available District Public Records and Web-Posted Reports and Records
5:230, Maintaining Student Discipline
6:270, Guidance and Counseling Program
7:100, Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students
7:160, Student Appearance
7:165, School Uniforms
7:180, Prevention of and Response to Bullying, Intimidation, and Harassment
7:190-AP1, Student Handbook - Hazing Prohibited
7:190-AP4, Use of Isolated Time Out, Time Out, and Physical Restraint
7:190-AP7, Student Discipline Guidelines — **REFORMATTED**
7:190-AP8, Student Re-Engagement Guidelines — **REFORMATTED**
7:190-E2, Student Handbook Checklist
7:200, Suspension Procedures — **REFORMATTED**
7:200-E2, Long Term Out-of-School Suspension (4-10 Days) Reporting Form

Miscellaneous

The following **PRESS** material is updated due to legislation, administrative rule and/or continuous improvement changes, including subscriber feedback. This is also detailed in the **Revisions to Policies, Administrative Procedures, and Exhibits Table** in numerical order beginning on p. 7.

The following **PRESS** material is updated:

4:60, Purchases and Contracts

Progress Report - The contents of this table frequently change.

Topics	Our Response
Ensuring Success in School (ESS) Law Public Act 102-466, a/k/a ESS, effective 7-1-25, amends various School Code provisions and creates new School Code Article 26A, *Children and Students Who Are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*. ESS requires districts to ensure they have policies and procedures in place that enable children and students who are parents, expectant parents, or victims of domestic or sexual violence to be identified by schools and provided protection, instruction, and related services necessary to enable them to meet State educational standards and successfully attain a school diploma. ESS also created the Ensuring Success in School Task Force, which in June 2024 issued a final report (at www.isbe.net/Documents_ESSTaskForce/Final-Report-ESS-Report-June-2024.pdf) providing schools with direction on how to implement ESS, including specific policy and procedure recommendations.	Relevant materials will be updated, and a **NEW** sample **PRESS** policy suite will be released, in **PRESS** Issue 118.
Updates to Federal Uniform Guidance for Awards Revisions to the federal *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* at 2 C.F.R. Part 200 (Uniform Guidance) became effective 10-1-24. A reminder that the Ill. Grant Accountability and Transparency Act (GATA) adopts the Uniform Guidance for State agencies' administration of eligible State and federal grants. For information from the U.S. Dept. of Education about the changes, see www2.ed.gov/about/offices/list/ofo/oaga/uniformguidancefaqs.pdf.	Relevant **PRESS** materials, including materials in policy suites 4:15, 4:80, and 5:60 will be updated in **PRESS** Issue 118.
Cook County Paid Leave Ordinance Applies to Certain School Districts in Cook County Effective 1-1-25 The Cook County Paid Leave Ordinance is scheduled to go into effect on 1-1-25 for Cook County school districts located in municipalities that have not opted out of the ordinance's requirements. More information on the paid leave requirements can be found at: www.cookcountyil.gov/service/paid-leave-ordinance-and-regulations. We will be monitoring for any amendments to the ordinance or legislative developments that could impact implementation. Given the complexity of the new requirements, districts should consult with their board attorney regarding implementation.	We will continue to monitor any developments and will update **PRESS** materials, including sample policies 5:250, *Leaves of Absence* and 5:330, *Sick Days, Vacation, Holidays, and Leaves*, if needed, in **PRESS** Issue 118.

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Revisions to Policies, Administrative Procedures, and Exhibits

Number and Title	Revision Descriptions	
2:105, Ethics and Gift Ban	The policy and footnotes are updated for continuous improvement. Footnote 3 is updated with optional language in response to Ill. Council of School Attorneys member feedback.	☐
2:110, Qualifications, Term, and Duties of Board Officers	The policy and footnotes are updated. The policy is updated with minor style changes. The footnotes are updated in response to 105 ILCS 5/5-1(d), added by P.A. 103-790, permitting Cook County school districts that withdraw from the jurisdiction of the trustees of schools and township treasurer to appoint the township treasurer as its school treasurer or to enter into an agreement with an appointed school treasurer for school treasurer services, and for continuous improvement.	☐
2:120, Board Member Development	The policy and footnotes are updated in response to: 1. 105 ILCS 5/10-16a, amended by P.A. 103-771, eff. 6-1-25, adding training on improving student outcomes to mandatory professional development and leadership training for school board members; 2. 105 ILCS 5/10-22.6(c-5), amended by P.A.103-896, requiring school districts to make reasonable efforts to provide training to all school personnel, school board members, and school resource officers on the requirements of 105 ILCS 5/10-22.6 and 5/10-20.14; and 3. Continuous improvement.	☐
2:140, Communications To and From the Board	The policy is unchanged. The footnotes are updated to cross reference a discussion of the U.S Supreme Court case, *Lindke v. Freed*, 601 U.S. 187 (2024), in sample policy 8:10, *Connection with the Community*, and for continuous improvement.	☐

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

2:250-E2, Immediately Available District Public Records and Web-Posted Reports and Records	The exhibit is updated in response to: 1. Truth in Taxation Law, 35 ILCS 200/18-75, amended by P.A. 103-1018, requiring a Truth and Taxation Notice be posted on or near the top of a district's website for at least 30 consecutive days. 2. 105 ILCS 5/10-17a(7), added by P.A. 103-503, requiring districts to post on their websites a hyperlink to ISBE's Expanded High School Snapshot Report when it becomes available in October 2027. 3. 34 C.F.R. §106.8, requiring districts to post on their websites a Title IX notice of nondiscrimination; 4. 34 C.F.R. §106.8(f)(3), requiring districts to allow the public to inspect Title IX training materials upon request; 5. Ill. Pension Code, 40 ILCS 5/16-150.1, amended by P.A. 103-588, requiring districts to post on their websites teacher vacancies in subject shortage areas for employment ending no later than 6-30-247; 6. 105 ILCS 5/2-3.204 (final citation pending), added by P.A. 103-641, requiring districts to post on their websites the Type 1 diabetes informational material that ISBE makes available on its website; 7. 105 ILCS 5/10-20.70, added by P.A. 101-451 and renumbered by P.A. 102-558, requiring districts to post on their websites information on class size that they annually report to ISBE; and 8. Continuous improvement.
3:60-E, Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security	The exhibit is updated in response to ILCS 5/10-27.1A and 5/10-27.1B, both amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling), requiring the Superintendent or designee to report firearm and drug-related incidents on school grounds to ISBE no later than July 31 annually. Additional continuous improvement updates are made.
4:10, Fiscal and Business Management	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/17-2A, amended by P.A. 103-601, extending the time period during which a district may transfer money from specified funds for any purpose through 6-30-26, and for continuous improvement.
4:30, Revenue and Investments	The policy and footnotes are updated. The policy is updated in response to: 1. Public Funds Investment Act (PFIA), 30 ILCS 235/2(a)(4.5), amended by P.A. 103-880, eff. 1-1-25, which extends the maturity timeframe for investments in obligations of U.S. corporations with assets exceeding $500M from 3 years to 10 years, provided that certain conditions are met; 2. PFIA, 30 ILCS 235/8(a), amended by P.A. 101-657, requiring a public agency to consider the financial institution's record and current level of financial commitment to its local community when deciding whether to deposit public funds in that financial institution; 3. PFIA, 30 ILCS 235/8(a-5) and (a-10), added by P.A. 101-657, addressing requirements related to deposits in financial institutions subject to the federal Community Reinvestment Act of 1977; and 4. Continuous improvement. The footnotes are updated for the reasons stated immediately above and in response to: 1. PFIA, 30 ILCS 235/2, amended by P.A. 103-880, eff. 1-1-25, adding certain authorized investments and; 2. PFIA, 30 ILCS 235/20(e), amended by P.A. 103-324, requiring investment managers to make certain disclosures about sustainability factors before being awarded a contract.
4:40, Incurring Debt	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/19-1(p-225), added by P.A. 103-591, exempting from a district's statutory debt limitation certain bond indebtedness for bonds authorized by an election held on or after 11-5-24.

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

4:60, Purchases and Contracts	The policy, Legal References, and footnotes are updated in response to 105 ILCS 5/10-20.86, renumbered by P.A. 103-605, renumbering the citation to 105 ILCS 5/10-20.8~~5~~6. Continuous improvement changes are also made to the footnotes.	☐
4:150, Facility Management and Building	The policy, Legal References, and footnotes are updated. The policy is updated to increase the threshold amount for board approval of renovations or permanent alterations to buildings or grounds to $1~~7~~2,500 in alignment with the $35,000 bidding threshold under 105 ILCS 5/10-20.21, amended by P.A. 103-8. The Legal References are updated with a style change. The footnotes are updated in response to: 1. Equitable Restrooms Act, 410 ILCS 35/30, added by P.A. 103-518, permitting schools to designate any multi-occupancy restrooms as all-gender, providing certain specifications are met; 2. 105 ILCS 5/10-22.36, amended by P.A. 103-591, no longer requiring a referendum for the purchase, construction, or building of a building for classroom or instructional use if, prior to the building or purchase, the board adopts a resolution finding the building or purchase will result in an increase in pre-K or kindergarten space in the district; and 3. Continuous improvement.	☐
4:160, Environmental Quality of Buildings and Grounds	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/2-3.204 (final citation pending), added by P.A. 103-736, eff. 1-1-25, requiring ISBE, in consultation with the Ill. Dept. of Public Health and other stakeholders, to compile and web post resources on indoor air quality for schools, and for continuous improvement.	☐
4:170, Safety	The policy and footnote 9 are updated in response to 105 ILCS 5/10-20.97, added by P.A. 103-10[illegible]9, eff. 1-1-25, requiring at least one automated external defibrillator (AED) to be present at all attendance centers during the school day. The footnotes are also updated in response to: 1. 105 ILCS 128/25, amended by P.A. 103-608, eff. 1-1-25, requiring districts to annually review procedures regarding its cardiac emergency response plan; 2. 105 ILCS 128/30, amended by P.A. 103-175, requiring ISBE to create a reporting mechanism for annual school safety review compliance reports; 3. 105 ILCS 128/45, amended by P.A. 103-780, requiring district threat assessment teams to include at least one law enforcement official and cross-disciplinary representatives directly familiar with student and staff mental and behavioral health needs; and 4. 105 ILCS 5/10-20.14(c), amended by P.A. 103-896, requiring ISBE to draft and publish guidance for school bus safety procedures by 7-1-25; and 5. Continuous improvement.	☐
4:170-AP1, Comprehensive Safety and Security Plan	The procedure is updated in response to: 1. 105 ILCS 128/25, amended by P.A. 103-608, eff. 1-1-25, requiring districts to annually review procedures regarding its cardiac emergency response plan; 2. 105 ILCS 128/45, amended by P.A. 103-780, requiring district threat assessment teams to include at least one law enforcement official and cross-disciplinary representatives directly familiar with student and staff mental and behavioral health needs; 3. 105 ILCS 128/60, added by P.A. 103-608, eff. 1-1-25, setting forth cardiac emergency response plan requirements; 4. 105 ILCS 5/10-27.1A and 5/10-27.1B, both amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling), requiring the Superintendent or designee to report firearm and drug-related incidents on school grounds to ISBE no later than July 31 annually; and 5. Continuous improvement.	☐

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

4:190, Targeted School Violence Prevention Program	The policy is unchanged. The footnotes are updated in response to 105 ILCS 128/45, amended by P.A. 103-780, requiring district threat assessment teams to include at least one law enforcement official and cross-disciplinary representatives directly familiar with student and staff mental and behavioral health needs, and for continuous improvement.	☐
4:190-AP2, Threat Assessment Team (TAT)	The procedure is updated for the reasons stated in 4:190, *Targeted School Violence Prevention Program*, above.	☐
5:10, Equal Employment Opportunity and Minority Recruitment	The policy, Legal References, and footnotes are updated. The policy and footnotes are updated in response to: 1. Ill. Human Rights Act (IHRA), 775 ILCS 5/1-102(A) and 5/1-103(Q), amended by P.A. 103-785, eff. 1-1-25, prohibiting discrimination on the basis of an employee's *reproductive health decisions*; and 2. IHRA, 775 ILCS 5/2-102(A), amended by P.A. 103-797, eff. 1-1-25, prohibiting discrimination on the basis of an employee's *family responsibilities*. The Legal References are updated in response to 29 C.F.R. Part 1636, added by 89 Fed.Reg. 29182, adding implementing regulations for the Pregnant Workers Fairness Act. The footnotes are also updated in response to: 1. IHRA, 775 ILCS 5/2-102(L), added by P.A. 103-804, eff. 1-1-26, prohibiting employers from using artificial intelligence in a manner that subjects employees to unlawful discrimination; 2. 740 ILS 174/, Ill. Whistleblower Act, amended by P.A. 103-867, eff. 1-1-25, protecting employees from retaliation on the basis or disclosure of certain information to a government or law enforcement agency; and 3. Continuous improvement.	☐
5:20, Workplace Harassment Prohibited	The policy and footnotes are updated in response to: 1. IHRA, 775 ILCS 5/1-102(A) and 5/1-103(Q), amended by P.A. 103-785, eff. 1-1-25, prohibiting discrimination on the basis of an employee's *reproductive health decisions*; 2. IHRA, 775 ILCS 5/2-102(A), amended by P.A. 103-797, eff. 1-1-25, prohibiting discrimination on the basis of an employee's *family responsibilities*; and 3. 2024 Title IX regulations. The footnotes are also updated in response to Equal Employment Opportunity Commission *Enforcement Guidance on Harassment in the Workplace,* and for continuous improvement.	☐
5:30, Hiring Process and Criteria	The policy is unchanged. The Legal References are updated in response to a minor style change. The footnotes are updated in response to the Ill. Right to Privacy in the Workplace Act, 820 ILCS 55/12 and 55/13, amended by P.A. 103-879, eff. 1-1-25, restricting employers from imposing work authorization verification or re-verification requirements greater that what is required by federal law, and for continuous improvement.	☐
5:30-AP2, Investigations	The procedure is updated for the reasons stated in 5:30, *Hiring Process and Criteria*, above.	☐
5:35, Compliance with the Fair Labor Standards Act	The policy is unchanged. The Legal References and footnotes are updated. The Legal References are updated with a minor style change. The footnotes are updated in response to 29 C.F.R. Part 541, amended by 89 Fed.Reg. 32971, revising the salary threshold for exempt employees, and for continuous improvement.	☐
5:35-AP1, Fair Labor Standards Act Exemptions	The procedure is updated in response to 29 C.F.R. Part 541, amended by 89 Fed. Reg. 32971, revising the salary threshold for exempt employees, and for continuous improvement.	☐

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

5:90, Abused and Neglected Child Reporting	The policy and footnote 4 are updated in response to 325 ILCS 5/7, amended by P.A. 103-624, eff. 1-1-25, removing the requirement for mandated reporters to confirm their oral reports in writing to DCFS, and for continuous improvement.	☐
5:120, Employee Ethics; Code of Professional Conduct; and Conflict of Interest	The policy and footnotes are updated in response to 105 ILCS 5/22-93, amended by P.A. 103-1020, changing the term *guidance counselor* to *school counselor*, and permitting school counselors to accept payment from an institution of higher education for the travel, lodging, food, and beverage costs the guidance counselor incurs for attending an educational or military program at the institution of higher education. The footnotes are also updated for continuous improvement.	☐
5:125, Personal Technology and Social Media; Usage and Conduct	The policy and footnotes are updated for continuous improvement. The footnotes are also updated in response to updated footnote content in 8:10, *Connection with the Community*.	☐
5:150, Personnel Records	The policy is unchanged. Footnote 2 is updated in response to the Ill. Personnel Record Review Act (PRRA), 820 ILCS 40/2, amended by P.A. 103-727, eff. 1-1-25, granting employees the ability to inspect, copy, and receive copies of personnel records at least two times per calendar year. The footnotes are also updated for continuous improvement.	☐
5:150-AP, Personnel Records	The procedure and footnotes are updated for the reasons stated in 5:150, *Personnel Records*, above. Footnote 5 is updated in response to the Ill. Wage Payment and Collection Act, 820 ILCS 115/2, amended by P.A. 103-953, eff. 1-1-25, adding a definition of *pay stub*.	☐
5:150-E, Employee Request Form for Personnel Records	**NEW.** The exhibit is created in response to the PRRA, 820 ILCS 40/2, amended by P.A. 103-727, eff. 1-1-25, permitting employees to make written requests to inspect, copy, and receive copies of certain personnel file contents at least two times per calendar year.	☐
5:230, Maintaining Student Discipline	The policy, Legal References, and footnotes are updated in response to 105 ILCS 5/22-100 and 5/24-24, respectively added and amended by P.A. 103-806, eff. 1-1-25, defining *corporal punishment* and prohibiting its use in all circumstances. The policy and footnotes are also updated to delete references to *certificated* employees, so that only references to *licensed* employees remain.	☐
6:20, School Year Calendar and Day	The policy is unchanged. The footnotes are updated in response to 105 ILCS 5/10-20.56, amended by P.A. 103-708, modifying certain requirements related to the approval and renewal of district e-learning programs, and for continuous improvement.	☐
6:20-AP, Remote and/or Blended Remote Learning Day Plan(s)	The procedure is updated for the reasons stated in 6:20, *School Calendar and Day*, above.	☐

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

6:60, Curriculum Content	The policy, Legal References, and footnotes are updated in response to 105 ILCS 5/10-20.84, added by P.A. 102-917, requiring boards, by 7-1-25, to either implement or opt-out of: (1) career exploration and development activities in grades 6-12 in accordance with a State framework, and (2) College and Career Pathway Endorsements. The policy and footnotes are also updated in response to: 1. 105 ILCS 5/27-24.1, amended by P.A. 103-944, adding worker safety in highway construction and maintenance zones to the topics that must be covered in a driver education course; 2. Comprehensive Health Education Program (CHEP), 105 ILCS 110/3(e), amended by P.A. 103-810, expanding mandated instruction on the dangers of fentanyl to grades 6~~9~~-12; and 3. 105 ILCS 5/27-13.1, amended by P.A. 103-837, eff. 7-1-25, requiring instruction on climate change beginning in the 2026-2027 school year; and 4. Continuous improvement. The footnotes are also updated in response to: 1. 105 ILCS 5/2-3.200, renumbered by P.A. 103-695, renumbering the citation to 105 ILCS 5/2-3.200~~196~~; and 2. 105 ILCS 5/27-23.17 (final citation pending), added by P.A. 103-598, allowing high schools to designate and annually observe a Workplace Readiness Week. ☐
6:60-AP1, Comprehensive Health Education Program	The procedure is updated in response to: 1. CHEP, 105 ILCS 110/3, amended by P.A. 103-810, expanding mandated instruction on the dangers of fentanyl to grades 6~~9~~-12; 2. CHEP, 105 ILCS 110/3, amended by P.A. 103-810, requiring instruction on alcohol and drug use and abuse to be age- and developmentally appropriate, and allowing such instruction to include information from the *Substance Use and Recovery Substance Guide*, available on ISBE's website; and 3. Continuous improvement. ☐
6:65, Student Social and Emotional Development	The policy is unchanged. Footnote 6 is updated in response to 105 ILCS 5/27-23.17, added by P.A. 103-764, eff. 1-1-25, permitting districts to provide students with at least 20 minutes per week of *relaxation activities*. The footnotes are also updated for continuous improvement. ☐
6:135, Accelerated Placement Program	The policy and footnotes are updated in response to: 1. 105 ILCS 5/14A-17, amended by P.A. 103-263, defining *advanced academic program*; 2. 105 ILCS 5/14A-32(b)(6), added by P.A. 103-263, permitting a district's accelerated placement policy to include or incorporate procedures to promote equity; 3. 105 ILCS 5/14A-32(a-5), amended by P.A. 103-743, to only require automatic enrollment into the next most rigorous level of advanced coursework for a student who ~~meets or~~ exceeds State standards; 4. 105 ILCS 14A-32(a-10), added by P.A. 103-743, requiring that by no later than the beginning of the 2027-28 school year, districts require automatic enrollment into the next most rigorous level of advanced coursework to a student who meets State standards; 5. 105 ILCS 5/14A-32(a-20), added by P.A. 103-743, permitting a district's accelerated placement policy to allow for the waiver of a course or unit of instruction completion requirement; 6. 105 ILCS 5/14A-32(a-25), added by P.A. 103-743, requiring a district's accelerated placement policy to include a process for notifying parents/guardians in writing of a student's eligibility for enrollment in accelerated courses. ☐

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

6:135-AP, Accelerated Placement Program Procedures	The procedure is updated in response to: 1. 105 ILCS 5/14A-17, amended by P.A. 103-263, defining *advanced academic program*; 2. 105 ILCS 5/14A-32(b)(6), added by P.A. 103-263, permitting a district's accelerated placement policy to include or incorporate procedures to promote equity; 3. 105 ILCS 5/14A-32(a-5), amended by P.A. 103-743, to only require automatic enrollment into the next most rigorous level of advanced coursework for a student who ~~meets or~~ exceeds State standards; 4. 105 ILCS 14A-32(a-10), added by P.A. 103-743, requiring that by no later than the beginning of 2027-28 school year, districts require automatic enrollment into the next most rigorous level of advanced coursework to a student who meets State standards; and 5. Continuous improvement. ☐
6:270, Guidance and Counseling Program	The policy and footnotes are updated in response to 105 ILCS 5/10-22.24b, amended by P.A. 103-780, clarifying and expanding the list of what services may be included within school counseling, and for continuous improvement. ☐
6:340, Student Testing and Assessment Program	The policy is unchanged. The footnotes are updated in response to: 1. 105 ILCS 5/2-3.64a-5, amended by P.A. 103-204, requiring that student profile information collected by ISBE when assessing secondary schools be made available to Illinois public institutions of higher education; 2. 105 ILCS 5/2-3.64a-15, amended by P.A. 103-946, incorporating the definition of *advanced academic program* in 105 ILCS 5/14A-17; and 3. Continuous improvement. ☐
7:10, Equal Educational Opportunities	The policy and footnotes are updated. The policy language in paragraph 1 and footnote 5 are updated in response to: 1. IHRA 775 ILCS 5/1-102(A) and 5/1-103, both amended by P.A. 103-785, eff. 1-1-25, to prohibit discrimination based on *reproductive health decisions*; and 2. Continuous improvement to more comprehensively reflect categories protected by the IHRA by prohibiting discrimination based on *military status* and *unfavorable military discharge*. The policy language in the **Sex Equity** subheading and footnotes 3 and 10 are updated in response to final regulations implementing Title IX of the Education Amendments of 1972 (Title IX). Footnote 8 is updated to note 23 Ill.Admin.Code §200.80(b)(1), requiring districts to survey students every four years about their athletic interests. Additional continuous improvement updates are made to the policy and footnotes. ☐
7:100, Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students	The policy, Legal References, and footnotes are updated. The policy and footnotes are updated in response to 105 ILCS 5/27-8.1(8.5), amended by P.A. 103-985, eff. 1-1-25, removing the requirement for districts to provide informational materials on meningococcal disease and meningococcal vaccinations, and for continuous improvement. The Legal References are updated in response to 77 Ill.Admin. Code Part 690, amended at 47 Ill.Reg. 18112, renaming the Part to Control of ~~Communicable~~Notifiable Diseases and Conditions Code. ☐
7:160, Student Appearance	The policy is unchanged. The footnotes are updated in response to ISBE's Guidance on *Display of Graduation Attire and Inclusion of Culturally Appropriate Regalia*. Optional language in Footnote 2 is updated for continuous improvement and to align with changes made to optional language in footnote 10 of 7:165, *School Uniforms*. ☐
7:165, School Uniforms	The policy is unchanged. The footnotes are updated for continuous improvement. Optional language in footnote 10 is updated for continuous improvement and to align with changes made to optional language in footnote 2 of 7:160, *Student Appearance*. ☐

Revisions to Policies, Administrative Procedures, and Exhibits — *continued*

7:180, Prevention of and Response to Bullying, Intimidation, and Harassment	The policy and footnotes are updated. The policy language in Item No. 12(b) is changed from *sexual harassment* to *sex discrimination* in response to final regulations implementing Title IX. Footnote 1 is updated in response to 23 Ill. Admin.Code §1.295, amended at 48 Ill.Reg. 13586, and with links to ISBE's *Racism-Free Schools Law and Bullying Prevention Data Collection Guidance* (8-7-24) and *Bullying Racism Free Schools Data Collection Template*.	☐
7:190-AP1, Student Handbook – Hazing Prohibited	The procedure is updated in response to 720 ILCS 5/12C-50(a-1), added by P.A. 103-756, eff. 1-1-25, providing that consent to hazing is not a defense to prosecution for hazing.	☐
7:190-AP4, Use of Isolated Time-Out, Time-Out, and Physical Restraint	The procedure is updated in response to 23 Ill.Admin.Code §1.285, amended at 48 Ill. Reg. 8535, prohibiting the use of prone physical restraint.	☐
7:190-AP7, Student Discipline Guidelines	**REFORMATTED.** The procedure and footnotes are updated in response to 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896, requiring districts to make reasonable efforts to provide ongoing professional development to "all school personnel ~~teachers, administrators~~, school board members, and school resource officers" on various topics, now including trauma-responsive learning environments as defined in 105 ILCS 5/3-11(b), and for continuous improvement.	☐
7:190-AP8, Student Re-Engagement Guidelines	**REFORMATTED.** The procedure is updated in response to 105 ILCS 5/10-22.6(b-25), amended by P.A. 103-896, requiring districts to provide appropriate and available support services to students who are suspended out-of-school for ~~5~~4 or more school days, and for continuous improvement.	☐
7:190-E2, Student Handbook Checklist	The exhibit is updated in response to: 1. Final regulations implementing Title IX; 2. The Ill. Dept. of Public Health Powers and Duties Law, 20 ILCS 2310/2310-700, amended by P.A. 103-985, deleting the requirement for districts to distribute informational material on meningococcal disease and meningococcal vaccinations; and 3. Updates made to the Ill. Principals Association's *Model Student Handbook*.	☐
7:200, Suspension Procedures	**REFORMATTED.** The policy and footnotes are updated for the reasons set forth in 7:190-AP8, *Student Re-Engagement Guidelines*, above.	☐
7:200-E2, Long Term Out-of-School Suspension (4-10 Day) Reporting Form	The exhibit is updated for the reasons set forth in 7:190-AP8, *Student Re-Engagement Guidelines*, above.	☐
7:340-AP1, School Student Records	The procedure is updated in response to the Abused and Neglected Child Reporting Act, 325 ILCS 5/8.6, amended by P.A. 103-624, eff. 1-1-25, requiring schools to purge a Child Protective Service Unit's final finding report in accordance with the Ill. School Student Records Act, 105 ILCS 10/, and for continuous improvement.	☐
8:10, Connection with the Community	The policy and footnotes are updated in response to the U.S. Supreme Court case *Lindke v. Freed*, 601 U.S. 187 (2024), addressing government official speech on social media, and for continuous improvement.	☐

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Group 1

School Board

Ethics and Gift Ban [1]

Prohibited Political Activity

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

1. No employee shall intentionally perform any *political activity* during any *compensated time*, as those terms are defined herein. [2]
2. No Board member or employee shall intentionally use any District property or resources in connection with any political activity. [3]
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.

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[1] The State Officials and Employees Ethics Act (SOEEA) (5 ILCS 430/) requires a policy on this subject matter and controls its content. 5 ILCS 430/70-5. This policy contains items on which collective bargaining may be required. Any policy that impacts wages, hours, or terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. This policy concerns an area in which the law is unsettled.

The Ill. Attorney General developed a model ethics ordinance to assist units of local government and school districts. See https://illinoisattorneygeneral.gov/Open-and-Honest-Government/Ethics-in-the-OAG/Ethics-Ordinance. The model ordinance provides that the local governmental entity will enforce the policy through quasi-criminal proceedings or through hiring an attorney to prosecute violators. These penal enforcement provisions present an obvious difficulty for school districts – the legislature has **not** granted school districts the power to adopt penal ordinances and penalties. This sample policy, while based on the Attorney General's model ordinance, does **not** contain penal provisions and penalties, and it does **not** contemplate the hiring of an attorney to prosecute violators.

[2] In addition to constitutional free speech rights, two State laws must be considered when enforcing the SOEEA. The first law, the Local Governmental Employees Political Rights Act (50 ILCS 135/), prohibits: (1) districts from inhibiting or prohibiting employees in the exercise of their political rights, and (2) employees from using their employment to coerce or inhibit others in the free exercise of their political rights and from engaging in political activities while at work. The other law, the Personnel Record Review Act (820 ILCS 40/9), prohibits districts from gathering records about an employee's political activities unless the activities interfere with the performance of work duties or could cause the district financial liability.

[3] The term *use* in Item #2 is based on the Ill. Attorney General's model ordinance; it is arguably broader than the SOEEA, which prohibits board members and district employees from intentionally *misappropriating* district property in connection with prohibited political activities. 5 ILCS 430/5-15(a)-(b). Some attorneys advise that a board member's mere presence on district property while engaging in a political activity on their own time (such as circulating an election petition at a school athletic event) is not a misappropriation of district property, and therefore does not violate the SOEEA. Consider that the term *use* may be easier to practically apply as a standard. Consult the board attorney for guidance on this issue. If the board wants Item #2 to match the SOEEA standard, substitute "misappropriate" in place of "use."

The Election Interference Prohibition Act prohibits the use of public funds to "urge any elector to vote for or against any candidate or proposition." 10 ILCS 5/9-25.1. Spending within the statutory definition of public funds to disseminate facts to the public is permitted under section 9-25.1 and is not *electioneering*. Consequently, a district should not become a political committee by spending funds to disseminate facts. 10 ILCS 5/9-1.14, legislatively overturning Citizens Organized to Save the Tax Cap v. State Bd. of Elections, Northfield Twp. High Sch. Dist., 392 Ill.App.3d 392 (1st Dist. 2009). Consult the board attorney for advice.

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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 [4]

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,[5] 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. [6]
5. Travel expenses for a meeting to discuss District business. [7]
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

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[4] 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 a 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, agents, and board members 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 financial interest is not substantial or 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 SOEEA 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 SOEEA 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.

[5] 105 ILCS 5/22-93, added by P.A. 102-327 and renumbered by P.A. 102-813, and amended by P.A. 103-1020, bans high school counselors from intentionally soliciting or accepting gifts from a *prohibited source*, narrowly defined as "any person who is employed by an institution of higher education or is an agent or spouse of or an immediate family member living with a person employed by an institution of higher education." Id. Exceptions exist for certain circumstances, e.g., gifts from a relative or based on a personal friendship, and certain travel costs paid by an institution of higher education for a school counselor's attendance at an educational or military program at that institution of higher education. A school counselor does not violate this law if he or she promptly takes reasonable action to return the gift to the prohibited source or donates the gift or an amount equal to its value to a tax-exempt charity. Id.

[6] See 2 Ill.Admin.Code §1620.700(a) for an example of a definition of "educational materials and missions."

[7] See Id. at (b) for an example of a definition of "travel expenses to discuss State business."

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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 26 U.S.C. §501(c)(3).

Enforcement

The Board President and Superintendent shall seek guidance from the Board attorney concerning compliance with and enforcement of this policy and State ethics laws.[8] 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

[8] This provision is consistent with sample policy 2:160, *Board Attorney*.

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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. [9]

Definitions [10]

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.

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[9] The Ill. Attorney General's model ethics ordinance includes the specific penalties from the SOEEA. 5 ILCS 430/50-5. Elsewhere the SOEEA states that a "governmental entity **may** provide in [its] ordinance or resolution ... for penalties similar to those provided in this Act for similar conduct." 5 ILCS 430/70-10. Thus, school boards do not need to enact policy containing criminal sanctions. Rather, as provided in this sample policy, violations can be referred to the State's Attorney.

The Ill. Attorney General's guidance document provides for the unit of local government to use an Ethics Commission to manage complaints. A board that wants to use an Ethics Commission should replace this paragraph, after the first sentence, with the following:

> As soon as possible after a complaint is filed, the Superintendent shall appoint a 3-member Ethics Commission. If the Superintendent is the subject of the complaint, the Board President shall perform this duty. Commission members may be any District resident, except that no person shall be appointed 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. If the Commission finds it more likely than not that the allegations in a complaint are true, it shall notify the State's Attorney and/or recommend disciplinary action for the employee.

[10] The definitions contained in this policy are all from 5 ILCS 430/1-5 with minor adaptations.

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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. [11]

Prohibited source means any person or entity who:

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

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

Complaints of Sexual Harassment Made Against Board Members by Elected Officials [12]

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

Board members and elected officials should report claims of sexual harassment against a member of the Board to the Board President or Superintendent. If the report is made to the Superintendent, the Superintendent shall

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[11] The SOEEA prohibits employees from engaging in political activities on *compensated time* but does not define the term. *Compensated time* is easy to determine for employees with fixed working hours. Determining *compensated time* for a salaried employee who does not have obligatory hours of attendance is more difficult. For this reason, the term *compensated time* should include both the time when the employee is physically present on district premises as well as any other time when the employee is engaged in official duties.

[12] Required. Under SOEEA, school districts must, by resolution, amend their sexual harassment policies "to provide for a mechanism for reporting and independent review of allegations of sexual harassment made against an elected official of the governmental unit by another elected official of a governmental unit." 5 ILCS 430/70-5. This policy includes both elected and appointed board members to effectuate the intent of the law, to comprehensively address sexual harassment in the workplace, and for consistent treatment. The statute does not address whether the *independent review* must or may be limited to a board member's conduct in his or her official capacity, or if it can extend to a board member's behavior in his or her individual capacity. Consult the board attorney for advice. See sample policy 5:20, *Workplace Harassment Prohibited*, and its f/ns for information about what types of conduct may rise to the level of unlawful sexual harassment under federal and State laws. This policy only addresses the requirements of the SOEEA; it does not address harassment complaints made by employees or other non-elected individuals against board members. Such complaints may be processed under sample policy 2:260, *Uniform Grievance Procedure*, or, if the allegations involve Title IX sexual harassment, sample policy 2:265, *Title IX Sexual Harassment Procedure*. See sample policy 2:260, *Uniform Grievance Procedure*, at f/ns 1 and 6.

Unlike employees, board members are not legally required to take sexual harassment prevention training; however, it is a best practice. The Ill. Dept. of Human Rights offers a free online training module. See sample policy 5:20, *Workplace Harassment Prohibited*, at f/n 4 for more information.

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promptly notify the President, or if the President is the subject of the complaint, the Vice President. Reports of sexual harassment will be confidential to the greatest extent practicable.[13]

When a complaint of sexual harassment is made against a member of the Board by another Board member or other elected official, the Board President shall appoint a qualified outside investigator who is not a District employee or Board member to conduct an independent review of the allegations. If the allegations concern the President, or the President is a witness or otherwise conflicted, the Vice President shall make the appointment. If the allegations concern both the President and Vice President, and/or they are witnesses or otherwise conflicted, the Board Secretary shall make the appointment. The investigator shall prepare a written report and submit it to the Board. [14]

If a Board member has engaged in sexual harassment, the matter will be addressed in accordance with the authority of the Board. [15]

The Superintendent will post this policy on the District website and/or make this policy available in the District's administrative office. [16]

LEGAL REF.: 105 ILCS 5/22-93.
5 ILCS 430/, State Officials and Employees Ethics Act.
10 ILCS 5/9-25.1, Election Interference Prohibition Act.

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

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[13] The Open Meetings Act (OMA) does not provide a specific exemption for discussion of complaints against a member of a public body in closed session. 5 ILCS 120/2(c)(1).

[14] 5 ILCS 430/70-5(a). The law requires governmental units, including school districts, to conduct an *independent review* of allegations of sexual harassment made against an elected official by another elected official; however, that term is not defined. Consult the board attorney about how to investigate such complaints.

For boards that wish to authorize the superintendent to appoint the outside investigator in these cases, substitute "Superintendent" for "Board President" in the first sentence, delete the second and third sentences in the paragraph, and delete the Cross Reference to policy 2:110, *Qualifications, Term, and Duties of Board Officers*.

[15] A board's ability to address the harassing behavior of a board member is relatively limited because it does not have the legal authority to remove one of its members. See sample policy 2:60, *Board Member Removal from Office*, and its footnotes for more information about board member removal. Consult the board attorney when dealing with a claim of sexual harassment by a board member to discuss enforcement options, as well as the accused board member's participation in any decisions regarding the complaint.

[16] This paragraph is optional, but it aligns with the intent of P.A. 101-221. See f/n 12, above.

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School Board

Qualifications, Term, and Duties of Board Officers [17]

The School Board officers are: President, Vice President, Secretary, and Treasurer.[18] These officers are elected or appointed by the Board at its organizational meeting.

President [19]

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

1. Preside at all meetings;
2. Focus the Board meeting agendas on appropriate content;
3. Make all Board committee appointments, unless specifically stated otherwise; [20]
4. Attend and observe any Board committee meeting at his or her discretion; [21]
5. Represent the Board on other boards or agencies;
6. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
7. Call special meetings of the Board;
8. Serve as the head of the public body for purposes of the Open Meetings Act (OMA) and Freedom of Information Act; [22]

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[17] State law controls this policy's content. Selection of officers must be in open session. 5 ILCS 120/2. Board officer vacancies are discussed in *Answers to FAQs: Vacancies on the Board of Education*, Ill. Council of School Attorneys, www.iasb.com/law/vacancies.cfm.

[18] Districts governed by a board of directors have three officers: a president, clerk, and treasurer. The president and clerk must be board members. 105 ILCS 5/10-5. While there is no prohibition on a board member simultaneously serving in two officer positions, doing so may create either the appearance of impropriety or a compliance issue for purposes of fraud protocols. Consult the board attorney for further guidance and/or request that the board member consult his or her own attorney.

[19] 105 ILCS 5/10-13. The board, by resolution may decrease to one year the term of office for the president.

Of the listed duties, only the following are imposed by law: #1, preside at meetings (Id.); #6, sign minutes (105 ILCS 5/10-7) and sign certificate of tax levy (105 ILCS 5/17-11); #7, call special meetings (105 ILCS 5/10-16); and #8, serve as *head of the public body* for Open Meetings Act (OMA) and Freedom of Information Act (FOIA) purposes (5 ILCS 120/7(e)(2) and 140/2(e)).

[20] Alternatively, strike the "unless" clause and substitute: "subject to Board approval." Be sure this treatment is consistent with policy 2:150, *Committees*.

[21] Optional. A board that wants the president to participate in committee meetings may use the following alternative: "Be a member of all Board committees." Using this alternative, the president would be counted to determine the number of members that constitutes a quorum for each board committee meeting. If a board would like the superintendent to attend any or all meetings of a board committee, it should consider asking the superintendent to be a committee resource person (or other such title) rather than an ex-officio member of the board committee itself. That way, the superintendent will not count to determine the number of committee members that constitutes a quorum.

[22] The *head of the public body* or its attorney may request an advisory opinion from the Ill. Atty. Gen. Public Access Counselor (PAC) concerning compliance with OMA or FOIA. 5 ILCS 120/3.5(h) and 5 ILCS 140/9.5(h). FOIA defines *head of the public body* to mean *president* or "such person's duly authorized designee." 5 ILCS 140/2(e). Preliminary drafts, notes, recommendations, memoranda, and other records in which opinions are expressed, or policies are formulated, lose this exemption from disclosure if a relevant portion of a requested record is publicly cited and identified by the *head of the public body*. 5 ILCS 140/7(1)(f).

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9. Ensure that a quorum of the Board is physically present at all Board meetings, except as otherwise provided by OMA; [23]
10. Administer the oath of office to new Board members; [24]
11. Serve as or appoint the Board's official spokesperson to the media; [25]
12. Except when the Board President is the subject of a complaint of sexual harassment, a witness, or otherwise conflicted, appoint a qualified outside investigator to conduct an independent review of allegations of sexual harassment made against a Board member by another Board member or elected official; and [26]
13. Ensure that all fingerprint-based criminal history records information checks, screenings, and sexual misconduct related employment history reviews (EHRs) required by State law and policy 5:30, *Hiring Process and Criteria*, are completed for the Superintendent. [27]

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

The Vice President fills a vacancy in the Presidency. [28]

Vice President [29]

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

1. The office of President is vacant;
2. The President is absent; or
3. The President is unable to perform the office's duties.

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

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[23] Optional. Requiring the president to monitor the presence of a quorum assists compliance with OMA's mandate that a quorum be physically present at all board meetings, except as otherwise provided by OMA. 5 ILCS 120/7.

[24] Optional. Omit this duty if policy 2:80, *Board Member Oath and Conduct*, provides that the board member oath is given by other means.

[25] See sample policy 8:10, *Connection with the Community*, and its f/ns 1, 3, and 4, regarding the board president's role as the board's official spokesperson.

[26] See sample policy 2:105, *Ethics and Gift Ban*, **Complaints of Sexual Harassment Made Against Board Members by Elected Officials** subhead. 5 ILCS 430/70-5(a) requires school districts to amend their sexual harassment policies "to provide for a mechanism for reporting and independent review of allegations of sexual harassment made against an elected official of the governmental unit by another elected official of a governmental unit." If the board has chosen to have the Superintendent appoint an outside investigator in these cases (see sample policy 2:105, *Ethics and Gift Ban*, at f/n 12), remove item 12 from the list of board president duties and delete the Cross Reference to policy 2:105, *Ethics and Gift Ban*.

[27] See the subhead entitled **Screening** in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, and the subheads entitled **Investigations** and **Sexual Misconduct Related Employment History Review** in sample policy 5:30, *Hiring Process and Criteria*.

[28] 105 ILCS 5/10-13.1 states that the "vice-president shall perform the duties of the president if there is a vacancy in the office of president or in case of the president's absence or inability to act ...." However, an earlier enacted statute calls for the appointment of a *president pro tempore* if the president is absent from any meeting or refuses to perform his or her duties, and specifies that the "vice-president, if the board elects such officer, shall be appointed the president pro tempore." 105 ILCS 5/10-13. This policy resolves any confusion by implementing the latter enacted statute and stating that the vice president fills a vacancy in the presidency.

[29] 105 ILCS 5/10-13.1. The board by resolution may decrease to one year the term of office for the vice president.

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Secretary [30]

The Board elects a Secretary for a two-year term. The Secretary may be, but is not required to be, a Board member. The Secretary may receive reasonable compensation as determined by the Board before appointment. However, if the Secretary is a Board member, the compensation shall not exceed $500 per year, as fixed by the Board at least 180 days before the beginning of the term.[31] The duties of the Secretary are to:

1. Keep minutes for all Board meetings, and keep the verbatim record for all closed Board meetings;
2. Mail meeting notification and agenda to news media who have officially requested copies;
3. Keep records of the Board's official acts, and sign them, along with the President, before submitting them to the Treasurer at such times as the Treasurer may require;
4. Report to the Treasurer on or before July 7, annually, such information as the Treasurer is required to include in the Treasurer's report to the Regional Superintendent;
5. Act as the local election official for the District;
6. Arrange public inspection of the budget before adoption;
7. Publish required notices;
8. Sign official District documents requiring the Secretary's signature; and
9. Maintain Board policy and such other official documents as directed by the Board.

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

Recording Secretary [32]

The Board may appoint a Recording Secretary who is a staff member. The Recording Secretary shall:

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

In addition, the Recording Secretary or Superintendent receives notification from Board members who desire to attend a Board meeting by video or audio means. [33]

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[30] 105 ILCS 5/10-14. The board by resolution may decrease to one year the term of office for the secretary. In districts governed by a board of directors, a clerk who is a board member performs these duties. 105 ILCS 5/10-5. The policy's provisions regarding compensation are required by 105 ILCS 5/10-14 (governs secretaries who are board members and non-board members) and by 50 ILCS 145/2 (governs secretaries who are board members).

Of the listed duties, only the following are imposed by law: #1, board meeting minutes (105 ILCS 5/10-7; see sample policy 2:220, *School Board Meeting Procedure*, for the requirements for minutes); #3, records board's official acts and submits them to the treasurer (105 ILCS 5/10-7); #4, treasurer's report (105 ILCS 5/10-8); #5, local election official (see f/ns 2 and 7 of sample policy 2:30, *School District Elections*); #6, public inspection of the budget (105 ILCS 5/17-1).

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" in item #4 with "appropriate Intermediate Service Center Executive Director."

[31] 105 ILCS 5/10-14 and 50 ILCS 145/2.

[32] This section is optional.

[33] To allow attendance by video or audio means, a board must adopt policy language conforming to the restrictions in OMA. 5 ILCS 120/2.01 and 120/7. See subhead **Quorum and Participation by Audio or Video Means** in sample policy 2:220, *School Board Meeting Procedure*, and its f/n 31.

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Treasurer [34]

The Treasurer of the Board shall be either a member of the Board who serves a one-year term or a non-Board member who serves at the Board's pleasure.[35] A Treasurer who is a Board member may not be compensated.[36] A Treasurer who is not a Board member may be compensated provided it is established before the appointment.[37] The Treasurer must: [38]

1. Be at least 21 years old;
2. Not be a member of the County Board of School Trustees; and
3. Have a financial background or related experience, or 12 credit hours of college-level accounting.

The Treasurer shall: [39]

1. Furnish a bond, which shall be approved by a majority of the full Board;
2. Maintain custody of school funds;
3. Maintain records of school funds and balances;
4. Prepare a monthly reconciliation report for the Superintendent and Board; and
5. Receive, hold, and expend District funds only upon the order of the Board.

A vacancy in the Treasurer's office is filled by Board appointment.

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[34] This section is for: (1) districts in a Class I county (all counties except Cook Co.), or (2) a Class II county (Cook Co.) district that has withdrawn from the authority of the township treasurer or is located in a township in which the office of township treasurer was abolished. 105 ILCS 5/5-1(a) defines Class I county school units as districts in counties with less than 2,000,000 inhabitants. A board that withdraws from the authority of the township treasurer may appoint a township treasurer to serve as its school treasurer, and it may enter into a contractual or intergovernmental agreement with an appointed school treasurer for school treasurer services. 105 ILCS 5/5-1(d), added by P.A. 103-790. Those districts in Cook Co. (Class II county) under the authority of the trustees of schools of the township and the township treasurers should use this alternative: "Qualifications, appointment, and duties of the Treasurer for the School District shall be as provided in the School Code." See 105 ILCS 5/8-1(a), amended by P.A. 103-790, for how the township treasurer is appointed and the term of office; duties are found in 105 ILCS 5/8-2, 5/8-5, 5/8-6, 5/8-7, 5/8-16, and 5/8-17. For districts in a Class II county, in the Legal References insert "5/8-5" before "5/8-6" and insert "5/8-7" after "5/8-6."

[35] 105 ILCS 5/8-1(b). The treasurer's term of office is two years if the district is located in a Class II county (Cook Co.) that was under the jurisdiction and authority of the township treasurer and township trustees of schools at the time those offices were abolished. 105 ILCS 5/8-1(c). Those boards should use the following alternative:

The Treasurer of the Board shall serve a two-year term beginning and ending on the first day of July.

[36] 105 ILCS 5/8-1(b) and (c).

[37] 105 ILCS 5/8-3.

[38] Qualification #1 is required for treasurers in a Class I county or Class II county (Cook Co.) that withdrew from the authority of the township treasurer and township trustees of schools. 105 ILCS 5/8-1(b). This sample policy makes it applicable to Class II county (Cook Co.) districts that were under the authority of the township treasurer and township trustees of schools at the time those offices were abolished.

Qualification #2 is required for treasurers in a Class I county or Class II county (Cook Co.) that withdrew from the authority of the township treasurer and township trustees of schools. 105 ILCS 5/8-1(b). Districts in a Class II county (Cook Co.) that were under the authority of the township treasurer and township trustees of schools at the time those offices were abolished should replace this qualification as follows: "2. Not be the District Superintendent." 105 ILCS 5/8-1(c).

Qualification #3 is required for treasurers in a Class I county. 105 ILCS 5/8-1(d). This qualification should be replaced by the following for districts in a Class II county (Cook Co.): "Upon being appointed for his or her first term, be a certified public accountant or a certified chief school business official as defined in the School Code; experience as a township treasurer in a Class II county school before July 1, 1989 is deemed equivalent." 105 ILCS 5/8-1(e).

[39] 105 ILCS 5/8-2, amended by P.A. 103-49, 5/8-6, 5/8-7, and 5/8-16.

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LEGAL REF.: 105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8, 5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, 5/10-21.9, 5/17-1, 5/21B-85, and 5/22-94.
5 ILCS 120/7, Open Meetings Act.
5 ILCS 420/4A-106, Ill. Governmental Ethics Act.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:105 (Ethics and Gift Ban), 2:150 (Committees), 2:210 (Organizational School Board Meeting), 2:220 (School Board Meeting Procedure), 5:30 (Hiring Process and Criteria)

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School Board

Board Member Development [40]

The School Board desires that its individual members learn, understand, and practice effective governance principles.[41] The Board is responsible for Board member orientation and development. Board members have an equal opportunity to attend State and national meetings designed to familiarize members with public school issues, governance, and legislation.

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

Mandatory Board Member Training [42]

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

1. Each Board member elected or appointed to fill a vacancy of at least one year's duration must complete at least four hours of professional development and leadership training in: (1) education and labor law; (2) financial oversight and accountability; (3) fiduciary responsibilities; (4) trauma-informed practices for students and staff; and (5) improving student outcomes, within the first year of his or her first term. [43]
2. Each Board member must complete training on the Open Meetings Act (OMA) no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificate of completion with the Board. Training on OMA is only required once. [44]
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal using the optional alternative evaluation dismissal process. This dismissal process is available after the District's PERA implementation date. [45]

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[40] State law governs the mandatory board member training provisions in this sample policy.

[41] The Ill. Association of School Boards (IASB) *Foundational Principles of Effective Governance* is available online at: www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/.

[42] A board may omit the description of mandatory training requirements by deleting "~~that are described below~~" and deleting the numbered list. IASB is an authorized provider of all mandatory trainings for school board members. To view IASB online trainings, see www.iasb.com/conference-training-and-events/training/online-learning/.

[43] 105 ILCS 5/10-16a, amended by P.A.s 102-638 and 103-771, eff. 6-1-25. See 105 ILCS 5/10-16a(b-5) for the required and recommended elements of the training regarding trauma-informed practices. See 105 ILCS 5/3-11, amended by P.A. 103-413, for the definitions of *trauma*, *trauma-responsive learning environments* (including *trauma aware*, *trauma responsive*, and *healing centered*), and *whole child*. Training on improving student outcomes "must include information that is relevant to and within the scope of the duties of a school board member." 105 ILCS 5/10-16a(b-10), added by P.A. 103-771, eff. 6-1-25.

[44] 5 ILCS 120/1.05(b) and (c).

[45] 105 ILCS 5/24-16.5. This mandatory training requirement was phased-in as districts implemented evaluations that incorporate student growth as a significant factor, otherwise known as Performance Evaluation Reform Act (PERA) evaluations. The implementation timeline for PERA evaluations varied from district to district but all districts had to implement PERA evaluations. A district may use an optional alternative evaluative dismissal process using the PERA evaluation. Before voting on a dismissal based upon an optional alternative evaluative dismissal process, a board member must complete a training program on PERA evaluations. For more information about PERA, see *PERA Overview for School Board Members*, available at: www.iasb.com/policy-services-and-school-law/illinois-laws-affecting-schools/performance-evaluation-reform-act-(pera)/.

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The Superintendent or designee shall maintain on the District website a log identifying the complete training and development activities of each Board member, including both mandatory and non-mandatory training. [46]

Professional Development; Adverse Consequences of School Exclusion; Student Behavior [47]

The Board President or Superintendent, or their designees, shall make reasonable efforts to provide ongoing professional development to Board members about the requirements of 105 ILCS 5/10-22.6 and 105 ILCS 5/10-20.14,[48] adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, trauma-responsive learning environments,[49] appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

Board Self-Evaluation

The Board will conduct periodic self-evaluations with the goal of continuous improvement. [50]

New Board Member Orientation [51]

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

1. The Board President or Superintendent, or their designees, shall give each new Board member a copy of or online access to the Board Policy Manual, the Board's regular meeting minutes for the past year, and other helpful information including material describing the District and explaining the Board's roles and responsibilities.
2. The Board President or designee shall schedule one or more special Board meetings, or schedule time during regular meetings, for Board members to become acquainted and to review Board processes and procedures.
3. The Board President may request a veteran Board member to mentor a new member. [52]

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[46] 105 ILCS 5/10-16a(b) requires each school district to post on its website, if any, the names of all board members who have completed the minimum of four hours of training described in #1. Recognizing that a board may want to highlight all training and development achievements, the sample policy extends this reporting requirement to all training and development activities. For a website reporting template, see sample exhibit 2:120-E2, *Website Listing of Development and Training Completed by Board Members*.

A board may choose to strictly follow the statute by using the following alternative: "The Superintendent or designee shall post on the District website the names of all Board members who have completed the professional development leadership training described in number 1, above."

[47] 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896. While a district must make reasonable efforts to provide professional development to board members in these areas, the inclusion of this subhead is optional. Information about professional development opportunities is available through IASB's website at: www.iasb.com/conference-training-and-events/training/.

[48] 105 ILCS 5/10-22.6, amended by P.A.s 102-466, eff. 7-1-25, 102-539, and 103-896, addresses the suspension or expulsion of students and school searches. See sample policies 7:190, *Student Behavior*, 7:200, *Suspension Procedures*, 7:210, *Expulsion Procedures*, and 7:220, *Bus Conduct*. 105 ILCS 5/10-20.14, amended by P.A. 103-896, addresses parent-teacher advisory committees and their functions. See sample policy 2:150, *Committees*.

[49] See 105 ILCS 5/3-11(b), amended by P.A. 103-413, for the definition of *trauma-responsive learning environments*.

[50] Boards are not required to conduct self-evaluations, but may hold a closed meeting with representatives of a State association authorized under Article 23 of the School Code for the purpose of discussing self-evaluation practices and procedures, or professional ethics. 5 ILCS 120/2(c)(16).

[51] New board member orientation is a critical step in helping new board members become effective and in promoting a smoothly functioning new team. The orientation process should include information about the IASB policy services to which the board subscribes, **PRESS**, **S**chool **B**oard **P**olicies **O**nline (SBPOL), and **PRESS Plus**.

[52] See sample exhibit 2:120-E1, *Guidelines for Serving as a Mentor to a New School Board Member*.

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4. All new members are encouraged to attend workshops for new members conducted by the Illinois Association of School Boards.

Candidates

The Superintendent or designee shall invite all current candidates for the office of Board member to attend: (1) Board meetings, except that this invitation shall not extend to any closed meetings, and (2) pre-election workshops for candidates. [53]

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

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

[53] IASB maintains helpful resources for school board candidates, including webinars regarding running for the school board. See www.iasb.com/memberships-and-divisions/school-board-elections/information-for-candidates.

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School Board

Communications To and From the Board [54]

The School Board welcomes communications from staff members, parents/guardians, students, and community members. Individuals may submit questions or communications for the School Board's consideration to the Superintendent or may use the electronic link to the Board's email address(es) posted on the District's website.[55] The Superintendent or designee shall: [56]

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[54] State law controls portions of this policy but does not require a policy on any topic covered.

An alternative to the opening sentence follows: "The School Board welcomes communications from the school community."

[55] School districts that maintain an Internet website, other than a social media or social networking website, must post a "mechanism, such as a uniform single email address, for members of the public to electronically communicate with elected officials." 50 ILCS 205/20. The sample policy's default language may be used even when the district provides each board member with an individual email address. The language permits every board member to read all emails sent to the electronic link. This aligns with IASB's *Foundational Principles of Effective Governance* (www.iasb.com/conference-training-and-events/training/trainingresources/foundational-principles-of-effective-governance/) because all members receive the same information and communications as illustrated below:

a. When the district provides individual email addresses to board members, it can post a hyperlink on the district home page to an email address that will forward the communication **to all** board members' email addresses simultaneously.

b. When the district does **not** provide individual email addresses to board members, it can post a hyperlink on the district's home page to one email address that every board member may access.

Other ways to comply should ensure that all board members have equal access to communications. For example, posting a hyperlink on the district home page **to a list of** individual board member email addresses would **not** ensure that all board members have equal access to questions or communications for the board's consideration.

Whenever a district provides email addresses to individual board members, all emails sent to individual email addresses are subject to disclosure under the Freedom of Information Act (FOIA). City of Champaign v. Madigan, 992 N.E.2d 629 (Ill. App. Ct. 2013). Public bodies must also conduct a reasonable search for public records responsive to a FOIA request, which includes searching public employees' communications on personal devices or accounts for records pertaining to the transaction of public business. See PAO 16-6. Consult the board attorney when searching board members' personal email addresses and/or devices may be necessary to respond to a FOIA request.

If the district does not maintain an Internet website, delete all text in the first paragraph after the word *Superintendent* and delete numbered paragraphs 1 and 2:

~~or may use the electronic link to the Board's email address(es) posted on the District's website.~~

~~The Superintendent or designee shall:~~

~~1. Ensure that the home page for the District's website contains an active electronic link to the email address(es) for the School Board, and~~

~~2. During the Board's regular meetings, report for the Board's consideration all questions or communications submitted through the active electronic link along with the status of the District's response in the Board meeting packet.~~

[56] Directive #1 to the superintendent restates the statutory requirement to post a hyperlink to the email address on the district's home page. 50 ILCS 205/20. Directive #2 is optional and adds a step to increase efficient responses to communications concerning the operation or management of the district or a school. Adding this text allows a board to (1) monitor its compliance with 50 ILCS 205/20, (2) ensure that all board members stay informed of all questions and communications to the board, (3) align with IASB's *Foundational Principles of Effective Governance*, and (4) mirror a School Code requirement (105 ILCS 5/10-16) for the superintendent to report any FOIA requests during the board's regular meetings along with the status of the district's response.

Before adoption of this text, each board may want to have a conversation with the superintendent about the difference between "staff work questions or communications" that do not need to be submitted to the board and "questions or communications submitted for the school board's consideration" that do need to be submitted to the board.

For districts that maintain an Internet website but do not wish to adopt Directive #2, delete Directive #2 and amend the policy as follows:

The Superintendent or designee shall ensure that the home page for the District's website contains an active electronic link to the email address(es) for the School Board.

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1. Ensure that the home page for the District's website contains an active electronic link to the email address(es) for the School Board, and
2. During the Board's regular meetings, report for the Board's consideration all questions or communications submitted through the active electronic link along with the status of the District's response in the Board meeting packet.

If contacted individually, Board members will refer the person to the appropriate level of authority, except in unusual situations. Board members' questions or communications to staff or about programs will be channeled through the Superintendent's office. Board members will not take individual action that might compromise the Board or District. There is no expectation of privacy for any communication sent to the Board or its members, whether sent by letter, email, or other means.

Board Member Use of Electronic Communications [57]

For purposes of this section, *electronic communications* includes, without limitation, electronic mail, electronic chat, instant messaging, texting, and any form of social networking.[58] Electronic communications among a majority or more of a Board-quorum shall not be used for the purpose of discussing District business. Electronic communications among Board members shall be limited to: [59] (1) disseminating information, and (2) messages not involving deliberation, debate, or decision-making. The following list contains examples of permissible electronic communications:

- Agenda item suggestions
- Reminders regarding meeting times, dates, and places
- Board meeting agendas or information concerning agenda items
- Individual emails to community members, subject to the other limitations in this policy

In accordance with the Open Meetings Act and the Oath of Office taken by Board members, individual Board members will not (a) reply to an email on behalf of the entire Board, or (b) engage in the discussion of District business through electronic communications with a majority of a Board-quorum.[60]

A public body is not required to reply to communications. Likewise, the FOIA does not require questions to be answered. Chicago Tribune Co. v. Dept. of Financial & Professional Reg., 8 N.E.3d 11 (Ill. App. Ct. 2014). For more information about districts governed by a board of school directors, see f/n 6 of sample policy 2:220, *School Board Meeting Procedure*.

[57] With some exceptions, OMA requires that a board conduct its deliberations and business during meetings that the public may attend. A meeting means "any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business or, for a five-member public body, a quorum of the members of a public body held for the purpose of discussing public business." 5 ILCS 120/1.02. Thus, any *electronic communication* discussing district business that circulates among a majority of a quorum of the board (or majority of the Board, in case of a five-member board) may qualify as a meeting for purposes of the OMA and may be illegal. A violation of OMA is a Class C misdemeanor. 5 ILCS 120/4.

The Local Records Act (50 ILCS 205/) governs retention of district records; its definition of *public record* is more narrow than the definition in FOIA. These communications must be retained only when they contain: (1) evidence of the district's organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. While this is a slippery slope without definitive parameters, electronic communication among board members that are permissible under this policy may generally be deleted; consult the board attorney for a more thorough analysis and a legal opinion. See also sample exhibit 2:140-E, *Guidance for Board Member Communications, Including Email Use*.

[58] The examples of *electronic communications* are optional and may be amended. For a discussion about board member use of social media when communicating with the community, see sample policy 8:10, *Connection with the Community*, and its f/ns 3 and 4.

[59] Complying with these restrictions will help avoid an OMA violation.

[60] The oath of office in 105 ILCS 5/10-16.5 requires board members to swear or affirm that they "shall recognize that a board member has no legal authority as an individual and that decisions can only be made by a majority vote at a public board meeting." Deliberations of the board must be conducted openly; a meeting occurs whenever a majority of a quorum discusses public business; meetings must occur at a properly noticed board meeting that is open to the public. 5 ILCS 120/1, 1.02, and 2. For additional information, see f/ns above and sample exhibit 2:140-E, *Guidance for Board Member Communications, Including Email Use*.

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LEGAL REF.: 5 ILCS 120/, Open Meetings Act.
50 ILCS 205/20, Local Records Act.

CROSS REF.: 2:220 (School Board Meeting Procedure), 3:30 (Chain of Command), 8:110 (Public Suggestions and Concerns)

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School Board

Exhibit - Immediately Available District Public Records and Web-Posted Reports and Records [1]

[*For use by only those Districts that have websites.*]

The District's Freedom of Information Officer designates the public records that are listed in this table as being immediately available to the public. The records that are asterisked (*) are posted on the District's website and may be immediately inspected, downloaded, printed, and/or copied. Any asterisked public record is also immediately available for inspection or copying upon request at the District's administrative office during its regular business hours, provided any applicable fees are paid. Unless otherwise noted in the special instructions column, records not asterisked (*) will be provided within five business days as allowed by the Freedom of Information Act, provided any applicable fees are paid.

Web-posted records and information (use of an * is explained in the paragraph above this table)	**Web-posting statutory reference and special instructions**
*Annual schedule of regular meetings for the current school year that are posted at the beginning of each calendar or fiscal year *Public notice of each Board meeting that is posted at least 48 hours before the meeting and remains posted until the meeting is concluded *Agenda of each regular meeting that is posted at least 48 hours before a meeting and remains posted until the meeting is concluded **Note:** For school districts that do not post board meeting notices and/or agendas on a website (because they do not have a website maintained by a full-time staff member), the notice and agenda must be continuously available for public review during the entire 48-hour period preceding the meeting	5 ILCS 120/2.02.

[1] This exhibit has two purposes: (1) to identify the data and documents that must be posted on a district's website, if the district has a website; and (2) to fulfill the requirement in the Freedom of Information Act (FOIA) for the district's FOIA officer to designate the public records that are immediately available to the public. 5 ILCS 140/3.5(a). Many attorneys agree that using the required items for web-posting is an easy and practical way for the FOIA Officer to develop a list of public records that are *immediately available*. Some attorneys prefer that the district also retain copies of its web-posted public records for immediate inspection and/or copying upon request at the administrative office. The introductory paragraph manages this issue by indicating that copies of certain identified public records will also be immediately available in the district's administrative office. This exhibit suggests identifying public records for immediate availability that are easily reproduced and stored, i.e., not voluminous. The FOIA Officer should customize this list as appropriate to the district's circumstances.

Districts may respond to a FOIA request for a public record published on the district website by directing the requester to the website. However, if the requester is unable to reasonably access the record, the requester may re-submit his or her request, and the district must then make the record available for inspection and copying. See 5 ILCS 140/8.5; see also reference in Ill. Public Access Counselor binding opinion 10-1. Consult the board attorney for ideas to manage the district's specific FOIA compliance issues.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*Official open meeting minutes that are posted within 10 days of the Board's approval and remain posted for at least 60 days (required if the District has a website maintained by a full-time staff member)	5 ILCS 120/2.06(b).
*Description of the District and its records including: 1. Summary of the District's purpose 2. Functional subdivisions 3. Total amount of operating budget 4. Number and location of all of its separate offices 5. Approximate number of full- and part-time employees (see also, salary and benefits information report for the Superintendent, administrators, and teachers, District's Statement of Affairs) 6. Identification and membership of the Board 7. Brief description of the methods whereby the public may request information and public records 8. Directory information for the Freedom of Information Officer 9. Address where requests for public records should be directed 10. Fees	5 ILCS 140/4. The District must prominently post the list at each administrative office and make it available for inspection and copying.
*A hyperlink to an email address(es) for members of the public to communicate with members of the Board	50 ILCS 205/20. The hyperlink must be easily accessible from the District's home page.
Annual budget for current fiscal year, itemized by receipts and expenditures	105 ILCS 5/17-1.2. This may be accomplished using the Ill. State Board of Education (ISBE) *School District Budget Form* (50-36) or the summary pages from it. [2] The District must notify its students' parents/guardians when the budget is web-posted along with its website address.

[2] For school officials who are concerned that some of their district's constituents may not have the proper software to access these documents, ISBE provides links to free *viewer or reader* products that support the ISBE School District Budget Form (50-36). These products can be downloaded and used to access the budget as posted on the district's website. See www.isbe.net/Pages/School-District-Joint-Agreement.aspx.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	**Web-posting statutory reference and special instructions**
*Notice of a public hearing under the Truth in Taxation Law, when applicable (required if the District has a website maintained by a full-time staff member)	35 ILCS 200/18-75, amended by P.A. 103-1018. The notice on the website must be posted for at least 30 consecutive days on or near the top of the District's website homepage or on a page accessible through a direct link from the homepage. The notice must be posted not more than 14 days nor less than seven days prior to the date of the public hearing. Id. at 18-80.
*Notice of public hearing on waiver or modification of a School Code mandate, when applicable	105 ILCS 5/2-3.25g(c-5). The time, date, place, and general subject matter of the public hearing must be posted at least 14 days prior to the hearing. If the District is requesting to increase the fee charged for driver education authorized pursuant to 105 ILCS 5/7-24.2, the website information must include the proposed amount of the fee the district will request. See 2:20-E, *Waiver and Modification Request Resource Guide*.
*District Report Card and a Report Card for each School (the Report Cards will be provided by ISBE by Oct. 31 of each year, unless otherwise provided by law)	105 ILCS 5/10-17a, amended by P.A.s 102-16 and 102-539. Annually, no more than 30 calendar days after receiving the Report Cards from the State Superintendent, the District must: (1) present them at a regular Board meeting, (2) post them on the District's website, (3) make them available to a newspaper of general circulation serving the District, and (4) upon request, send them home to parents/guardians. 105 ILCS 5/10-17a(5). The District also must send a written notice home to parents/guardians stating: (1) that the Report Cards are available on the website, (2) the website's address, (3) that a printed copy will be sent upon request, and (4) the telephone number to request a printed copy. Id.
*Hyperlink to ISBE's Expanded High School Snapshot Report	105 ILCS 5/10-17a(7), added by P.A. 103-503. The hyperlink must be displayed in a manner that is easily accessible to the

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	public. ISBE is required to prepare a stand-alone report covering high schools beginning 10-31-27 and by Oct. 31 of each subsequent year.
*The District's discipline plan and progress on the plan, in the event the District is identified by ISBE to be in the top 20% (for three consecutive years) of districts for out-of-school suspensions, out-of-school expulsions, or racial disproportionality in the use of out-of-school suspensions and expulsions	105 ILCS 5/2-3.162. If the District is required to submit a plan to ISBE, it must be approved at a public board meeting and posted on the District's website. Within one year after being identified by ISBE, the District must submit to ISBE and post on its website a progress report describing implementation of the plan and the results achieved.
*A list of all contracts in excess of $25,000 and any contracts with an exclusive bargaining representative	105 ILCS 5/10-20.44. There is no statutory timeline for web-posting. Each year, in conjunction with the submission of the Statement of Affairs to ISBE, before Dec. 1, the District must submit to ISBE an annual report on all contracts over $25,000 awarded during the previous fiscal year.
*Contract(s) with any commercial driver training school(s) for driver education	105 ILCS 5/27-24.2. The District is required to web-post this document if it has a website. If the District has no website, it must make the contract available upon request.
Annual Statement of Affairs	105 ILCS 5/10-17. The District is not required to web-post this document. It must, annually by Dec. 1, submit the Statement to ISBE for posting on ISBE's website, have copies of the Statement available in the main administrative office, and publish a summary of the Statement in a newspaper of general circulation published in the District.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	**Web-posting statutory reference and special instructions**
*Fiscal Efficiency Report, summarizing the District's attempts to improve fiscal efficiency through shared services or outsourcing in the prior fiscal year	105 ILCS 5/17-1.1, amended by P.A. 102-1088. The report must be: (1) approved by the Board at an open meeting,[3] and (2) primarily in checklist form and approximately one page in length.
Beginning in levy year 2022, if the District has an aggregate property tax levy greater than $5,000,000, it will make good faith efforts to electronically publish the following data from all vendors and subcontractors doing business with the District: 1. Whether the vendor or subcontractor is minority-owned, women-owned, or veteran-owned 2. Whether the vendor or subcontractor holds a certification as a minority-owned, women-owned, or veteran-owned business as defined in 30 ILCS 575/, or if they are self-certifying; and 3. If the vendor self-certifies, whether it qualifies as a small business under federal Small Business Administration standards (See www.sba.gov/federal-contracting/contracting-guide/size-standards).	35 ILCS 200/18-50.2, added by P.A. 102-265. The law does not define *electronically publish*; website posting is a means of compliance. This item is not asterisked should the District choose to electronically publish the information offline.
*Notice of a public hearing at which the Board will consider closing a school, when applicable	105 ILCS 5/10-22.13. The notice of the public hearing must be provided at least 10 days prior to the hearing and include the time, date, place, and name or description of the school building that the Board is considering closing.

[3] 105 ILCS 5/17-1.1, amended by P.A. 102-1088, specifies that the report must be approved by the board at an "open meeting that allows for public comment." The public comment qualification is omitted here because it is redundant; all open meetings must have a period during which the public can offer comments. See sample policy 2:230, *Public Participation at School Board Meetings and Petitions to the Board*. This report is included in a district's annual financial report as the *Report on Shared Services or Outsourcing*. See www.isbe.net/Pages/Annual-Financial-Report.aspx.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*Explanation of the data elements of *covered information*[4] that the District collects, maintains, or discloses to any person, entity, third party, or governmental agency. *A description of the procedures[5] that parents/guardians may use to carry out their rights under 105 ILCS 85/33(c)(1), (2), & (3), including the right to: 1. Inspect and review their child's covered information 2. Request a paper or electronic copy of their child's covered information 3. Request corrections for factual inaccuracies contained in their child's covered information	105 ILCS 85/27(a)(1). The explanation of data elements of covered information must be clear and understandable by a layperson and cover the following: (1) how the District uses the covered information; (2) to whom or what entities the District discloses the covered information; and (3) for what purpose the District discloses the covered information. The explanation of data elements and description of parent rights procedures must be updated by Jan. 31 and July 31 each year, as needed.
*A list of operators with whom the District has written agreements and the following for each operator: 1. Copy of the agreement 2. Business address 3. List of any subcontractors to whom covered information may be disclosed or a link to a page on the operator's website that clearly lists the subcontractors	105 ILCS 85/27(a)(2) & (3). The District must post new operator contracts and an explanation of the data elements of covered information disclosed to the operator (see immediate row above) within 10 business days after entering into the contract. 105 ILCS 85/27(c). This list must also be updated by Jan. 31 and July 31 each year, as needed.
*A list of *breaches* of covered information maintained by the school or an operator involving 10% or more of the District's student enrollment. The list must include: 1. Number of students whose covered information was involved in the breach, unless the breach involved *personal information* as defined in the Personal Information Protection Act, 815 ILCS	105 ILCS 85/27(a)(5). The District must update breach information by Jan. 31 and July 31 each year, and it must remain on the District's website for at least five years after the District adds it to the list. Breaches that occurred (or were estimated to have occurred) prior to 7-1-21 or breaches that

[4] *Covered information* means personally identifiable information or material (PII) or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's/guardian's use of the operator's site, service or application for K-12 school purposes; (2) created by or provided to an operator by an employee or agent of the District; or (3) gathered by an operator through the operation of its site, service, or application. 105 ILCS 85/5. *Operators* are entities that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and used for K-12 school purposes. Id. See sample administrative procedure 7:345-AP, *Use of Educational Technologies; Student Data Privacy and Security*, for additional information regarding posting requirements under Student Online Personal Protection Act, 105 ILCS 85/, and sample exhibit 7:345-AP, E1, *Student Covered Information Reporting Form*, for a sample reporting format.

[5] See sample exhibit 7:345-AP, E4, *Notice of Parent Rights Regarding Student Covered Information*. Districts may choose to, but are not required to, include a description of these procedures in a student handbook.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
530/5, in which case the number of students involved may not be disclosed 2. Date, estimated date, or estimated date range of the breach 3. Name of the operator, if applicable	were posted more than five years prior to updating the current list do not need to be posted. [6]
*Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* *Information developed as a result of the evaluation and assessment of the bullying policy's outcomes and effectiveness	105 ILCS 5/27-23.7(b)(10) and (11).
*Title IX notice of nondiscrimination	34 C.F.R. §106.8. See the **Notice of Nondiscrimination** subhead of sample administrative procedure 2:265-AP1, *Title IX Response*, for a sample notice of nondiscrimination and nondiscrimination statement meeting the minimum requirements of Title IX regulations.
Title IX training materials	34 C.F.R. §106.8(f)(3). Title IX training materials must, upon request, be made available for inspection only (not copying) by members of the public.
*Board policy 7:20, *Harassment of Students Prohibited*, and age-appropriate explanations of its contents in student handbook(s)	105 ILCS 5/10-20.69. The District must have an age-appropriate policy on sexual harassment (1) in the student handbook(s), (2) posted on the District's website, and (3) posted in any other area where policies, rules and standards of conduct are posted in each school.
*Board policy 7:290, *Suicide and Depression Awareness and Prevention*	105 ILCS 5/2-3.166, amended by P.A. 102-267.

[6] 105 ILCS 85/27(d) states that individual notification to the parent/guardian of a child whose covered information was breached may be delayed if a law enforcement agency determines that notification will interfere with a criminal investigation and provides the District with a written request for a delay of notice. This basis for delay does not specifically apply to the more general website notification of a breach, however, such a delay may also be warranted depending upon the circumstances. Consult the board attorney for guidance on this issue.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
*Contact information for the National Suicide Prevention Lifeline (988) and Crisis Text Line (Text 741741), if the District does not issue student identification cards to all students	105 ILCS 5/10-20.81, added by P.A. 102-416 and renumbered by P.A. 102-813, amended by P.A. 103-143.
*Administrator and Teacher Salary and Benefits Report (itemized salary report for the Superintendent and all administrators and teachers); *benefits* includes, without limitation, vacation days, sick days, bonuses, annuities, and retirement enhancements	105 ILCS 5/10-20.47. [7] Annually on or before Oct. 1: (1) the information must be presented at a regular Board meeting and posted on the District's website, and (2) after the Board meeting at which the information was presented, the Report must be provided to ISBE.
All records pertaining to the creation, alteration or revision of school attendance areas shall be open to the public	105 ILCS 5/10-21.3. This law also requires school attendance areas to be periodically revised, if necessary, to prevent or eliminate segregation by color, race, or nationality. See Board policy 7:30, *Student Assignment and Intra-District Transfer*.
*Vacancies for teaching positions in a subject shortage area, before hiring a retired teacher to any such position	40 ILCS 5/16-150.1, amended by P.A.s 102-440 and 103-588. The District must, on an ongoing basis, post the vacancy for a period of at least 90 days during the six months preceding either the fall or spring term for which it seeks to employ a retired teacher in a subject shortage area. This posting requirement is in effect for employment ending no later than June 30, 2027.
*Information regarding a Severance Agreement entered into because an employee or contractor was found to have engaged in sexual harassment or sexual discrimination	50 ILCS 205/3c. Within 72 hours of Board approval, the District must post: (1) the name/title of person receiving payment under the severance agreement, (2) the amount of payment, (3) that the employee or contractor was found to have engaged in sexual harassment or sexual

[7] 105 ILCS 5/10-20.47 does not specify whether a district must provide employee names as part of its salary and benefits report. The general practice of districts has been to include names in the report. Consult the board attorney for guidance.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	discrimination, as applicable, and (4) the date, time, and location of the meeting at which the agreement was approved. **Note:** The Government Severance Pay Act (GSPA), 5 ILCS 415/10(a)(2), prohibits an employee of a school district with contract provisions for severance pay from receiving any severance if the employee is fired by the board for *misconduct*, which includes sexual harassment and/or discrimination. Id. at 415/5. For more discussion about the reconciling these laws, see f/n 7 in sample policy 2:260, *Uniform Grievance Procedure*.
*As an employer that participates in the Ill. Municipal Retirement Fund (IMRF), a compensation report for employees who have a total compensation package that exceeds $75,000 per year; *total compensation package* means salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted	5 ILCS 120/7.3. The report must be posted within six business days after the District approves a budget. The District may choose to post a physical copy of this information at its principal office in lieu of posting the information directly on the website in which case it must post directions on the website for accessing that information. The Ill. Attorney General's office has not provided guidance concerning whether this requirement applies to employees who do not participate in IMRF, e.g., Teachers' Retirement System (TRS) participants.
*As an employer that participates in the IMRF, a compensation report for employees who have a total compensation package that is equal to or in excess of $150,000 per year; total compensation package means payment by the employer to the employee for salary, health insurance, a housing allowance, a vehicle allowance, a clothing allowance, bonuses, loans, vacation days granted, and sick days granted	5 ILCS 120/7.3. The report must be posted at least six days before the District approves an employee's total compensation package that is equal to or in excess of $150,000. The District may choose to post a physical copy of this information at its principal office in lieu of posting the information directly on the website in which case it must post directions on the website for accessing that information.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	The Ill. Attorney General's office has not provided guidance concerning whether this requirement applies to employees who do not participate in IMRF, e.g., TRS participants.
*As an employer that participates in IMRF, a link to information posted on the IMRF website at: www.imrf.org/en/about-imrf/transparency/employer-cost-and-participation-information	40 ILCS 5/7-135.5.
*Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*	105 ILCS 5/22-85.5(e), added by P.A. 102-676.
*A description of activities to address intergroup conflict (an optional program authorized by 105 ILCS 27-23.6)	105 ILCS 5/27-23.6(c).
The total number of personnel with a school support personnel endorsement, and for each endorsement area: 1. Those actively employed by the District on a full-time basis; 2. Those actively employed by the District on a part-time basis; and 3. Those actively employed by a special education cooperative providing services to students in the District	105 ILCS 5/10-20.80, added by P.A. 102-302 and renumbered by P.A. 102-813. Annually by Dec. 1, the District must report its school support personnel information as of Oct. 1 to ISBE and web-post it.
The total number of students enrolled in the District and of that total, the number of students with an individualized education program (IEP) or Section 504 plan	105 ILCS 5/2-3.182, added by P.A. 102-302 and renumbered by P.A. 102-813. Annually by Dec. 1, ISBE must make the enrollment information available on its website based on the District's enrollment information as of Oct. 1.
*Notice that students with disabilities who do not qualify for an IEP may qualify for services under Section 504	105 ILCS 5/14-6.01, amended by P.A. 102-1072. The notice shall: (1) identify the location and phone number of the District office or employee to whom inquiries about the identification, assessment, and placement of children with disabilities should be directed, and (2) inform parents/guardians who are deaf or do not typically communicate using spoken English that they are entitled to the services of an interpreter when participating in a Section 504 meeting.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	**Web-posting statutory reference and special instructions**
*Class size reporting that includes the information described in 105 ILCS 5/2-3.136a: 1. The total number of *teachers* actively employed in the District, listed by individual school; 2. The *pupil-teacher ratio* for the District; 3. The number of *class instructors*, by grade level and subject; 4. The *class size* for each *class* and *class section* at each school in the District and the total number of classes or class sections in each school that exceed the class size guidelines under 105 ILCS 5/18-8.15(b)(2) (evidence-based funding core teacher ratios).	105 ILCS 5/10-20.70. Annually, the District must report its class size information, which ISBE must make available on its website by Jan. 31 (see www.isbe.net/Pages/class-size-report.aspx). See 105 ILCS 5/2-3.136a for definitions of the italicized terms.
*Names of Board members who have completed professional development leadership training	105 ILCS 5/10-16a, amended by P.A. 102-638, requires the District to post on its website the names of all Board members who have completed professional development leadership training. The web-posting may be expanded to log all Board members' training and development activities. 5 ILCS 120/1.05(b) and (c) require each Board member to complete training on the Open Meetings Act. After completing the training, each Board member must file a copy of their certificate of completion with the Board. 105 ILCS 5/24-16.5 requires each Board member to complete a training program on performance evaluations before voting on a dismissal based on a performance evaluation pursuant to the Performance Evaluation Reform Act.
Immunization data reported to ISBE by each Nov. 15	105 ILCS 5/27-8.1(6). By Dec. 1, the District must annually make the immunization *data* that it must report to ISBE each year publicly available. The data, not its format, must be identical to the data reported to ISBE. Boards have control over the method(s) used to make this data publicly available. One method is to

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Web-posted records and information (use of an * is explained in the paragraph above this table)	Web-posting statutory reference and special instructions
	instruct the reader to ask for the data directly from ISBE.
Information on mental health issues and local treatment resources	The Ill. House of Representatives encouraged this in HR 478 (99th General Assembly, 5-31-15).
*All reliable assessments, scored by entities other than the District that are administered in each of the District's schools	105 ILCS 5/22-82(b). These must be made available to parents and/or guardians through the District's website or paper handouts.
*The District's Remote and/or Blended Remote Learning Day Plan, when the Governor has declared a public health emergency pursuant to 20 ILCS 3305/7.	105 ILCS 5/10-30(6).
*When the Board allows for student participation in registered apprenticeship programs: 1. Notification to students and parents of the opportunities for registered apprenticeships, which includes the following statements: a. Students may participate in any registered apprenticeship program listed by the District, and b. Students may find a registered, but not listed, apprenticeship program with a business or organization if a registered apprenticeship program is not offered in the District. 2. Board policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students* (specifically, the section titled **Registered Apprenticeship Program**) 3. A form for a parent/guardian to request that when their child successfully completes a registered apprenticeship program, it be substituted for a course	23 Ill.Admin.Code §255.200(b)(4) and (c).
*If offered by the District, identification of the curriculum the District uses to provide comprehensive personal health and safety and comprehensive sexual health education (National Sex Education Standards (NSES)), the scope and sequence of these instructional materials, and the name and contact information, including an email address, of a school staff member	105 ILCS 5/27-9.1a, added by P.A. 102-522.

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Web-posted records and information (use of an * is explained in the paragraph above this table)	**Web-posting statutory reference and special instructions**
who can respond to inquiries about instruction and materials	
*Board policy 6:135, *Accelerated Placement Program*	23 Ill.Admin.Code §227.60(a).
*Board policy 7:70, *Attendance and Truancy*	23 Ill.Admin.Code §207.20(b).
*Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*	105 ILCS 5/22-95, added by P.A. 103-472.
*The name(s) of designated Prioritization of Urgency of Need for Services (PUNS)-trained employee(s) in each school within the District.	105 ILCS 5/2-3.163(c), amended by P.A. 103-504. Every public school must designate at least one employee to take the Ill. Dept. of Human Services' PUNS training. Id. See Board policy 5:100, *Staff Development Program*.
*If the District has one or more school buses equipped with an automated traffic law enforcement system, notice to drivers that its buses are so equipped.	625 ILCS 5/11-208.9(m).
*Type 1 diabetes informational material.	105 ILCS 5/2-3.204 (final citation pending), added by P.A. 103-641. The informational materials to be posted are those made available on ISBE's website.

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General School Administration

Exhibit - Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security

The Building Principal shall comply with all State law reporting and notice requirements for principals. Compliance with the State law reporting and notice requirements is required by Board policy 3:60, *Administrative Responsibility of the Building Principal*, in its mandate to "perform all duties as described in State law." The specific statute identified in the following tables should be checked for current requirements. The lists of required reports and notices may not be exhaustive.

Events Requiring Reports Concerning School Safety and Security	Resources
A student or other person poses a clear and present danger to himself, herself, or others. This report is made to the Ill. State Police (ISP) within 24 hours after the Building Principal makes this determination. This report is required by the Firearm Concealed Carry Act (430 ILCS 66/105), and the Mental Health and Developmental Disabilities Code (405 ILCS 5/6-103.3). The Building Principal may delegate making reports concerning students, but not otherwise. *Clear and present danger* is defined in 430 ILCS 65/1.1, as a person who: (1) communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or (2) demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official. ISP rules implementing this duty to report are found in 20 Ill.Admin.Code §1230.120(b), and state, in relevant part: b) Law enforcement officials and school administrators shall report determinations of a clear and present danger directly to the Department [ISP]. The Department shall make a form and instruction	The ISP has posted information and instructions at: https://isp.illinois.gov/StaticFiles/docs/FirearmsSafety/Forms/CPD%20Reporting%20handout.pdf. 3:60, *Administrative Responsibility of the Building Principal* 7:340, *Student Records* 7:340-AP1, *School Student Records*

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Events Requiring Reports Concerning School Safety and Security	Resources
for the reporting available to law enforcement officials and school administrators on its website. 1) Clear and present danger reports shall be reviewed by the Department to deny a FOID [Firearm Owners Identification] card application or revoke a FOID card under Section 8(f) or 8.1(d) of this Act. 2) Clear and present danger reporting shall be made consistent with the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) to assist the Department with protecting the health and safety of the public by denying persons who present a clear and present danger from having lawful access to weapons.	
A student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability. This report is made to the Ill. Dept. of Children and Family Services (DCFS) immediately upon suspicion or receipt of knowledge. The DCFS Child Abuse Hotline is 800/25-ABUSE or 217/524-2606. In addition to the Building Principal, all school personnel are required to make this report. A staff member should inform the Building Principal if the staff member made a report; the Building Principal should inform the Superintendent of any report made. This report is required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), and the Dept. of Human Services Act (20 ILCS 1305/). A knowing and willful failure to make the report to DCFS is a Class A misdemeanor for the first violation and a second or subsequent violation is a Class 4 felony. 325 ILCS 5/4.	Information and directions are available from DCFS at: www.state.il.us/dcfs/child/index.shtml. 5:90, *Abused and Neglected Child Reporting* 7:190-AP6, *Administrative Procedure - Guidelines for Investigating Sexting Allegations*
Child pornography is discovered on electronic and information technology equipment. This report is made immediately to local law enforcement, or the National Center for Missing and Exploited Children's CyberTipline 800/843-5678 or online at: www.CyberTipline.com. According to 325 ILCS 5/4.5, *Electronic and information technology equipment* means, equipment used in the creation, manipulation, storage, display, or transmission of data, including internet and intranet systems,	5:90, *Abused and Neglected Child Reporting*

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Events Requiring Reports Concerning School Safety and Security	Resources
software applications, operating systems, video and multimedia, telecommunications products, kiosks, information transaction machines, copiers, printers, and desktop and portable computers. (Italics added.) An electronic and information technology equipment worker or the worker's employer is required to make this report by 325 ILCS 5/4.5. Failure to make this report is a business offense subject to a fine of $1,001. Id. at 5/4.5(e).	
Hazing resulted in bodily harm to any person. This report is required when the Building Principal or other school personnel or volunteer observes hazing. This report is made to the Superintendent or other supervising authority or, in the event of death or great bodily harm, to law enforcement. 720 ILCS 5/12C-50.1. The statute does not provide a deadline for making the report, but making the report immediately is prudent. Failure to report hazing is a Class B misdemeanor and if the hazing resulted in death or great bodily harm the failure to report is a Class A misdemeanor. Id. at 5/12C-50.1(c).	5:90, *Abused and Neglected Child Reporting* 7:190, *Student Behavior*
The person enrolling a student fails to provide a certified copy of the student's birth certificate within 30 days of enrolling the student. The Superintendent or designee is required to immediately notify local law enforcement. The Superintendent or designee must also notify the person enrolling the student, in writing, that unless the person complies within 10 days, the case will be referred to local law enforcement for investigation. If the person does not comply within 10 days, the Superintendent or designee refers the case to local law enforcement. 325 ILCS 50/5(b)(2) and 325 ILCS 55/5(b). This report is required by the Missing Children Records Act (325 ILCS 50/), and the Missing Children Registration Law (325 ILCS 55/).	7:50, *School Admissions and Student Transfers To and From Non-District Schools* 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*
The District receives notification from the ISP of the disappearance of a student currently or previously enrolled. The Superintendent or designee is required to flag records pertaining to the student, such that whenever a	7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*

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Events Requiring Reports Concerning School Safety and Security	Resources
copy of or information regarding the flagged records is requested, the Superintendent or designee will be alerted. The Superintendent or designee must immediately report to local law enforcement any request concerning flagged records or knowledge about where the student may be located. 325 ILCS 50/5(a) and 325 ILCS 55/5(a). This report is required by the Missing Children Records Act (325 ILCS 50/), and the Missing Children Registration Law (325 ILCS 55/).	
A drug-related incident occurred on school property, including any conveyance used to transport students, or on any public way within 1000 feet of the school. The Building Principal or designee is required to immediately notify the Superintendent or designee and any involved student's parent/guardian.[8] The Superintendent or designee is required to immediately report to local law enforcement. 105 ILCS 5/10-27.1B, amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling). Schools must also report any verified incident involving drugs to the Ill. State Board of Education (ISBE) through its web-based School Incident Reporting System (SIRS) as it occurs during the year but no later than July 31 for the preceding school year. Id. See f/n 6 in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan.* 105 ILCS 127/2 also requires reporting to the municipal police dept. or office of the county sheriff of the municipality or county where the school is located within 48 hours of becoming aware of the drug violation. 105 ILCS 127/2 sets forth specific drug violations that will trigger this duty to report; however, best practice suggests reporting any drug violation. This report is	3:60, *Administrative Responsibility of the Building Principal* 4:170-AP1, *Comprehensive Safety and Security Plan,* Letter J. Required Notices

[8] Parent/guardian notification is only required by law when the alleged offense is firearm possession, but parent/guardian notification is suggested here as a best practice. 105 ILCS 5/10-27.1A(b). This aligns with the **Required Notices** subhead of sample policy 7:190, *Student Behavior*, and section **J. Required Notices** of sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*, which provide that a parent/guardian will be notified of drug-related incidents and battery of a staff member. See f/n 56 in sample policy 7:190, *Student Behavior*, and f/n 5 in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. If your board has not expanded this notification duty in policy 7:190, *Student Behavior*, delete "~~and any involved student's parent/guardian~~."

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Events Requiring Reports Concerning School Safety and Security	Resources
required by the School Reporting of Drug Violations Act, 105 ILCS 127/.	
The safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity. If this occurs, the Building Principal is required to utilize the resources of proper law enforcement agencies. 105 ILCS 5/10-21.4a.	3:60, *Administrative Responsibility of the Building Principal* 7:190, *Student Behavior*
A student committed a criminal offense. The Superintendent or designee is required to make this report. This report is made to local law enforcement agencies as part of a reciprocal reporting system between the District and local law enforcement agencies. No specified time period is stated in the statute. A reciprocal reporting system is required by 105 ILCS 5/10-20.14.	2:150, *Committees* 7:190-AP3, *Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students*
A person on school grounds possesses a firearm. This report is made by the Building Principal or designee to local law enforcement immediately after receiving a report of a person on school grounds possessing a firearm. The Building Principal or designee must also notify the Superintendent or designee and any involved student's parent/guardian, and the Superintendent or designee must also immediately report to local law enforcement. Schools must also report any verified incident involving a firearm to ISBE through SIRS as it occurs during the year but no later than July 31 for the preceding school year. See f/n 6 in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan.* These reports are required by 105 ILCS 5/10-27.1A, amended by P.A.s 102-197, 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling). A knowing and willful failure to make the report is a petty criminal offense for the first violation and a second or subsequent violation is a Class C misdemeanor. Id.	7:190, *Student Behavior* 4:170-AP1, *Comprehensive Safety and Security Plan,* Letter J. Required Notices
A staff member is battered. This report is made by the Building Principal or designee to the Superintendent or designee and to any	4:170-AP1, *Comprehensive Safety and Security Plan,* Letter J. Required Notices

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Events Requiring Reports Concerning School Safety and Security	Resources
involved student's parent/guardian.[9] The Superintendent or designee will immediately report to local law enforcement and will report to ISBE through SIRS as incidents occur during the school year and no later than August 1 for the preceding school year. 105 ILCS 5/10-21.7, amended by P.A. 102-894.	
A student engaged in aggressive behavior. The Superintendent or designee is required to make this report. This report is made to the parent/guardian of a student who engaged in aggressive behavior including, without limitation, bullying. 105 ILCS 5/10-20.14(d). No specific time period is stated in the statute.	7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* 7:190, *Student Behavior* 7:190-E1, *Aggressive Behavior Reporting Letter and Form*

Required Notices Concerning School Safety and Security	Resources
Human Trafficking Hotline. The Superintendent or designee ensures the Ill. Dept. of Human Services' notice is posted in conspicuous and accessible locations such as administrative offices or other locations in view of school employees. This notice is required by the Human Trafficking Resource Center Notice Act, 775 ILCS 50/.	Notice available for download at: www.dhs.state.il.us/page.aspx?item=82023.
Lead in Drinking Water. If samples from any drinking water lead test performed in any District school(s) exceed five parts per billion, the Superintendent or designee provides notification of the sampling results to the parents or guardians of all enrolled students. This notification is required by 225 ILCS 320/35.5(c)(3).	4:170, *Safety*
Sex Offender Information is Available. This notice is provided to the parents/guardians of students at either registration or parent-teacher conferences. Either the Building Principal or teacher shall notify the parents/guardians that information about sex offenders is available on the ISP website. 730 ILCS 152/120(g).	4:170, *Safety* 4:175-AP1, *Criminal Offender Notification Laws; Screening* 4:175-AP1, E1, *Informing Parents/Guardians About Offender Community Notification Laws*

[9] See f/n 1, above.

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Required Notices Concerning School Safety and Security	Resources
This notice is required by the Sex Offender Community Notification Law, 730 ILCS 152/120(g).	

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Operational Services

Fiscal and Business Management [61]

The Superintendent is responsible for the School District's fiscal and business management.[62] This responsibility includes annually preparing and presenting the District's statement of affairs to the School Board and publishing it before December 1 as required by State law. [63]

The Superintendent shall ensure the efficient and cost-effective operation of the District's business management using computers, computer software, data management, communication systems, and electronic networks, including electronic mail, the Internet, and security systems. Each person using the District's electronic network shall complete an *Authorization for Access to the District's Electronic Network.* [64]

Budget Planning

The District's fiscal year is from July 1 until June 30.[65] The Superintendent shall present to the Board, no later than the first regular meeting in August, a tentative budget with appropriate explanation.[66] This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for the District's educational program. The District's budget shall be entered upon the Ill. State Board of Education's (ISBE) *School District Budget Form.*[67] To the extent possible, the tentative budget shall be balanced as defined by ISBE guidelines. The Superintendent shall complete a tentative deficit reduction plan if one is required by ISBE guidelines. [68]

Preliminary Adoption Procedures

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

1. A public hearing on the proposed budget,[69] and

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

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

[63] 105 ILCS 5/10-17.

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

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

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

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

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

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

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2. The proposed budget to be available to the public for inspection. [70]

The Board Secretary shall arrange to publish a notice in a local newspaper stating the date, place, and time of the proposed budget's availability for public inspection and the public hearing.[71] The proposed budget shall be available for public inspection at least 30 days before the time of the budget hearing.

At the public hearing, the proposed budget shall be reviewed, including the cash reserve balance of all funds held by the District related to its operational levy and, if applicable, any obligations secured by those funds,[72] and the public shall be invited to comment, question, or advise the Board. [73]

Final Adoption Procedures

The Board adopts a budget before the end of the first quarter of each fiscal year, September 30, or by such alternative procedure as State law may define.[74] To the extent possible, the budget shall be balanced as defined by ISBE; if not balanced, the Board will adopt a deficit reduction plan to balance the District's budget within three years according to ISBE requirements. [75]

The Board adopts the budget by roll call vote. The budget resolution shall be incorporated into the meeting's official minutes. Board members' names voting *yea* and *nay* shall be recorded in the minutes.[76]

The Superintendent or designee shall perform each of the following:

1. Post the District's final annual budget, itemized by receipts and expenditures, on the District's Internet website; notify parents/guardians that it is posted and provide the website's address.[77]
2. File a certified copy of the budget resolution and an estimate of revenues by source anticipated to be received in the following fiscal year, certified by the District's Chief Fiscal Officer, with the County Clerk within 30 days of the budget's adoption. [78]

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

[71] 105 ILCS 5/17-1 makes the board secretary responsible for this public notice at least 30 days before the hearing. If there is no newspaper published in the district, notice must be given by posting notices in five of the most public places in the district. 105 ILCS 5/17-1.

[72] 105 ILCS 5/17-1.3, added by P.A. 102-895, requires districts to disclose this cash reserve balance information "at the public hearing at which the district certifies its budget and levy for the taxable year." The statute does not specify the manner in which the disclosure must be made; for ease of administration, this sample policy manages disclosure at the budget hearing by including it in the budget review. To provide evidence of compliance, consider as a best practice recording this disclosure in the board meeting minutes and/or presenting it in writing. The term *operational levy* is not defined in the statute, but the definition of *operational funds* in 105 ILCS 5/17-1.10, added by P.A. 103-394, references 105 ILCS 5/17-1.3 and supports that it includes the educational, transportation, and operation and maintenance funds. Consult the board attorney for guidance.

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

[74] Required by 105 ILCS 5/17-1 and 5/17-3.2. See f/n 5.

[75] Required by 105 ILCS 5/17-1. See f/n 8.

[76] Required by 105 ILCS 5/10-7.

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

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

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3. Ensure disclosure to the public of the cash reserve balance of all funds held by the district related to its operational levy and, if applicable, any obligations secured by those funds, at the public hearing[79] at which the Board certifies its operational levy.
4. Present a written report that includes the annual average expenditures of the District's operational funds for the previous three fiscal years at or before the board meeting at which the Board adopts its levy. In the event the District's combined cash reserve balance of its operational funds is more than 2.5 times the annual average expenditures of those funds for the previous three fiscal years, the Board will adopt and file with ISBE a reserve reduction plan by December 31.[80]
5. Make all preparations necessary for the Board to timely file its Certificate of Tax Levy, including preparations to comply with the Truth in Taxation Act;[81] file the Certificate of Tax Levy with the County Clerk on or before the last Tuesday in December. The Certificate lists the amount of property tax money to be provided for the various funds in the budget.
6. Submit the annual budget, a deficit reduction plan if one is required by ISBE guidelines, and other financial information to ISBE according to its requirements.[82]

Any amendments to the budget or Certificate of Tax Levy shall be made as provided in the School Code and Truth in Taxation Act.[83]

Budget Amendments

The Board may amend the budget by the same procedure as provided for in the original adoption.[84]

Implementation

The Superintendent or designee shall implement the District's budget and provide the Board with a monthly financial report that includes all deficit fund balances. The amount budgeted as the expenditure in each fund is

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

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

[81] 35 ILCS 200/18-55 et seq. The Truth in Taxation Law contains several notice, publication, and hearing requirements. A district that fails to strictly comply with the notice and publication requirements of the Truth in Taxation Act risks invalidation of its levy. In re County Collector, 229 Ill.App.3d 641 (3rd Dist. 1992). However, failure to post a Truth in Taxation notice on a district's website will not invalidate the notice or action taken on a tax levy. 35 ILCS 200/18-75, amended by P.A. 103-1018. See sample exhibit 2:250, *Immediately Available District Public Records and Web-Posted Reports and Records*.

[82] Required by 105 ILCS 5/17-1.

[83] 105 ILCS 5/17-11 and 35 ILCS 200/18-55 et seq.

[84] 105 ILCS 5/17-1; 23 Ill.Admin.Code Part 100.

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the maximum amount that may be expended for that category, except when a transfer of funds is authorized by the Board.

The Board shall act on all interfund loans[85], interfund transfers[86], transfers within funds[87], and transfers from the working cash fund or abatements of it, if one exists. [88]

LEGAL REF.: 105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-1.3, 5/17-1.10, 5/17-2A, 5/17-3.2, 5/17-11, 5/20-5, 5/20-8, and 5/20-10.
35 ILCS 200/18-55 et seq., Truth in Taxation Law.
23 Ill.Admin.Code Part 100.

CROSS REF.: 4:20 (Fund Balances), 4:40 (Incurring Debt), 4:60 (Purchases and Contracts), 6:235 (Access to Electronic Networks)

ADMIN. PROC.: 6:235-AP1, E1 (Student Authorization for Access to the District's Electronic Networks), 6:235-AP1, E2 (Staff Authorization for Access to the District's Electronic Networks)

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[85] 105 ILCS 5/10-22.33, 5/20-4, 5/20-5, 5/20-8, and 5/20-10 and 23 Ill.Admin.Code §100.50. If the district loans money from the working cash fund to another fund, Section 5/20-10 requires the district to maintain a credit to the working cash fund (meaning that borrowing fund must repay the working cash fund).

[86] 105 ILCS 5/17-2A, amended by P.A.s 102-671, 102-895, and 103-601, contains the requirements for a permanent transfer. P.A.s 102-895 and 103-601 extended the time period during which a district may transfer money from specified funds for any purpose through June 30, 2026.

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

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

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

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Operational Services

Revenue and Investments [89]

Revenue

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

Investments

The Superintendent shall either appoint a Chief Investment Officer or serve as one.[90] The Chief Investment Officer shall invest money that is not required for current operations, in accordance with this policy and State law. [91]

The Chief Investment Officer and Superintendent shall use the standard of prudence when making investment decisions. They shall use the judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of their capital as well as its probable income.[92]

Investment Objectives [93]

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

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

Authorized Investments [94]

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

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

[90] 30 ILCS 235/2.5(a)(7). Districts having a chief business official may use this alternative: "The Chief Business Official shall serve as the District's Chief Investment Officer." If a Township Treasurer manages the district funds, substitute this sentence:

The Township Treasurer shall serve as the Chief Investment Officer.

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

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

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

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

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1. Bonds, notes, certificates of indebtedness, treasury bills, or other securities now or hereafter issued, that are guaranteed by the full faith and credit of the United States of America as to principal and interest.
2. Bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities.
   The term "agencies of the United States of America" includes: (a) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 and Acts amendatory thereto, (b) the federal home loan banks and the federal home loan mortgage corporation, and (c) any other agency created by Act of Congress.
3. Interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act.
4. Short-term obligations of corporations organized in the United States with assets exceeding $500,000,000 if: (a) such obligations are rated at the time of purchase at one of the three highest classifications established by at least two standard rating services and that mature not later than 270 days from the date of purchase, (b) such purchases do not exceed 10% of the corporation's outstanding obligations, and (c) no more than one-third of the District's funds may be invested in short-term obligations of corporations under this paragraph.
5. Obligations of corporations organized in the United States with assets exceeding $500,000,000 if: (a) such obligations are rated at the time of purchase at one of the three highest classifications established by at least two standard rating services and which mature more than 270 days but less than 10 years from the date of purchase, (b) such purchases do not exceed 10% of the corporation's outstanding obligations, and (c) no more than one-third of the District's funds may be invested in obligations of corporations under this paragraph.
6. Money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) and to agreements to repurchase such obligations.
7. Interest-bearing bonds of any county, township, city, village, incorporated town, municipal corporation, school district, the State of Illinois, any other state, or any political subdivision or agency of the State of Illinois or any other state, whether the interest earned is taxable or tax-exempt under federal law. The bonds shall be (a) registered in the name of the municipality, county, or other governmental unit,

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

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

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

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

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or held under a custodial agreement at a bank, and (b) rated at the time of purchase within the four highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.

8. Short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations, the shares, or investment certificates that are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of the Chief Investment Officer, the public funds so invested will be required for expenditure by the District or its governing authority.
9. Dividend-bearing share accounts, share certificate accounts, or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principal office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.
10. A Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. The District may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.
11. The Illinois School District Liquid Asset Fund Plus. [95]
12. Repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued there under. The government securities, unless registered or inscribed in the name of the District, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

    Except for repurchase agreements of government securities that are subject to the Government Securities Act of 1986, as now or hereafter amended or succeeded, the District may not purchase or invest in instruments that constitute repurchase agreements, and no financial institution may enter into such an agreement with or on behalf of the District unless the instrument and the transaction meet all of the following requirements:

    a. The securities, unless registered or inscribed in the name of the District, are purchased through banks or trust companies authorized to do business in the State of Illinois.
    b. The Chief Investment Officer, after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to "purchase" specified securities from a designated institution. The "custodial bank" is the bank or trust company, or agency of government, that acts for the District in connection with repurchase agreements involving the investment of funds by the District. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements.
    c. A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank's computer records through a member bank of the Federal Reserve System. These securities must be

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

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credited to the District on the records of the custodial bank and the transaction must be confirmed in writing to the District by the custodial bank.

d. Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.
e. The security interest must be perfected.
f. The District enters into a written master repurchase agreement that outlines the basic responsibilities and liabilities of both buyer and seller.
g. Agreements shall be for periods of 330 days or less.
h. The Chief Investment Officer informs the custodial bank in writing of the maturity details of the repurchase agreement.
i. The custodial bank must take delivery of and maintain the securities in its custody for the account of the District and confirm the transaction in writing to the District. The custodial undertaking shall provide that the custodian takes possession of the securities exclusively for the District; that the securities are free of any claims against the trading partner; and that any claims by the custodian are subordinate to the District's claims to rights to those securities.
j. The obligations purchased by the District may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the Chief Investment Officer.
k. The custodial bank shall be liable to the District for any monetary loss suffered by the District due to the failure of the custodial bank to take and maintain possession of such securities.

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

Except as provided herein, investments may be made only in banks, savings banks, savings and loan associations, or credit unions that are insured by the Federal Deposit Insurance Corporation or other approved share insurer. [96]

The Chief Investment Officer and Superintendent shall regularly consider material, relevant, and decision-useful sustainability factors in evaluating investment decisions, within the bounds of financial and fiduciary prudence. Such factors include, but are not limited to: (1) corporate governance and leadership factors, (2) environmental factors, (3) social capital factors, (4) human capital factors, and (5) business model and innovation factors, as provided under the Ill. Sustainable Investing Act, 30 ILCS 238/. [97]

Selection of Depositories, Investment Managers, Dealers, and Brokers [98]

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

In order to be an authorized depository, each institution must submit copies of the last two sworn statements of resources and liabilities or reports of examination that the institution is required to furnish to the appropriate

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[96] 30 ILCS 235/2, amended by P.A. 102-285.

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

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

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State or federal agency.[99] Each institution designated as a depository shall, while acting as such depository, furnish the District with a copy of all statements of resources and liabilities or all reports of examination that it is required to furnish to the appropriate State or federal agency. [100]

The above eligibility requirements of a bank to receive or hold public deposits do not apply to investments in an interest-bearing savings account, demand deposit account, interest-bearing certificate of deposit, or interest-bearing time deposit if: (1) the District initiates the investment at or through a bank located in Illinois, and (2) the invested public funds are at all times fully insured by an agency or instrumentality of the federal government. [101]

The District shall consider a financial institution's record and current level of financial commitment to its local community when deciding whether to deposit funds in that financial institution. The District may consider factors including: [102]

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

The District may not deposit public funds in a financial institution subject to the CRA unless the institution has a current rating of satisfactory or outstanding under the CRA.[103] When investing or depositing public funds, the District may give preference to financial institutions that have a current rating of outstanding under the CRA. [104]

Collateral Requirements [105]

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

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[99] 30 ILCS 235/6.

[100] Id.

[101] 30 ILCS 235/6.5.

[102] 30 ILCS 235/8(a).

[103] Id. at (a-5).

[104] Optional. Id. at (a-10).

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

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

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Safekeeping and Custody Arrangements [106]

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

Controls and Report [107]

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

The Chief Investment Officer shall provide a quarterly investment report to the Board. The report will: (1) assess whether the investment portfolio is meeting the District's investment objectives, (2) identify each security by class or type, book value, income earned, and market value, (3) identify those institutions providing investment services to the District, and (4) include any other relevant information. The investment portfolio's performance shall be measured by appropriate and creditable industry standards for the investment type. [108]

The Board will determine, after receiving the Superintendent's recommendation, which fund is in most need of interest income and the Superintendent shall execute a transfer. This provision does not apply when the use of interest earned on a particular fund is restricted. [109]

Ethics and Conflicts of Interest [110]

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

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

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

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

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

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

[108] The policy must include performance measures. 30 ILCS 235/2.5(8).

[109] 105 ILCS 5/10-22.44, "Chief Business Official" may replace "Superintendent." Interest income earned on any funds for IMRF, Tort Immunity Act, Fire Prevention, Safety and Environmental Energy, and Capital Improvement Act are restricted to the respective fund. Id.

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

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Operational Services

Incurring Debt [111]

The Superintendent shall provide early notice to the School Board of the District's need to borrow money. The Superintendent or designee[112] shall prepare all documents and notices necessary for the Board, at its discretion, to: (1) issue State Aid Anticipation Certificates,[113] tax anticipation warrants,[114] working cash fund bonds,[115] bonds,[116] notes,[117] and other evidence of indebtedness,[118] or (2) establish a line of credit with a bank or other financial institution.[119] The Superintendent shall notify the Ill. State Board of Education before the District issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law. [120]

Bond Issue Obligations [121]

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

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

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

[113] 50 ILCS 420/1 et seq. and 105 ILCS 5/18-18.

[114] 105 ILCS 5/17-16.

[115] 105 ILCS 5/20-2, 5/20-4, and 5/20-5; 30 ILCS 305/2.

[116] 105 ILCS 5/19-1 et seq.; 30 ILCS 350/. A district may borrow money and issue bonds for the purposes stated in 105 ILCS 5/19-3 provided the board properly adopted an election referendum and subsequently the voters approved the proposition. 10 ILCS 5/28-2. 105 ILCS 5/19-1(p-225), added by P.A. 103-591, provides that bonds issued under 105 ILCS 5/19-3 that are authorized by an election held on or after 11-5-24 must mature within 30 years from their date. Districts have the authority to issue bonds for certain purposes without a direct referendum, e.g., School Fire Prevention and Safety Bonds, Working Cash Fund Bonds, Funding Bonds, and Insurance Reserve Bonds. However, as is the case with Working Cash Fund Bonds, certain types of bonds still require boards to follow backdoor referendum procedures.

[117] 50 ILCS 420/0.01 et seq. See also f/n 6, above.

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

[119] 105 ILCS 5/17-17.

[120] 105 ILCS 5/19-1(q).

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

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

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

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1933, as amended[122] and, if applicable, the continuing disclosure obligations under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended. [123]

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

The Board may contract with outside professionals, such as bond counsel and/or a qualified financial consulting firm, to assist it in meeting the requirements of this subsection. [124]

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

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

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

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[122] 15 U.S.C. §77q.

[123] 17 C.F.R. §240.15c2-12. See sample administrative procedure 4:40-AP, *Preparing and Updating Disclosures*, for a detailed set of sample procedures designed to facilitate a district's compliance with disclosure requirements of federal securities laws.

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

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Operational Services

Purchases and Contracts [125]

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

Standards for Purchasing and Contracting

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

All purchases and contracts should support a recognized District function or purpose as well as provide for good quality products and services at the lowest cost, with consideration for service, reliability, and delivery promptness, and in compliance with State law.[126] No purchase or contract shall be made or entered into as a result of favoritism, extravagance, fraud, or corruption.

Adoption of the annual budget authorizes the Superintendent or designee to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items outside budget parameters require prior Board approval, except in an emergency. [127]

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

1. Supplies, materials, or work involving an expenditure in excess of $35,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted. [128]
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 et seq.

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

[126] This end statement should be amended according to local board discretion.

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

[128] 105 ILCS 5/10-20.21, amended by P.A. 103-8. See sample administrative procedure 4:60-AP1, *Purchases*, for bidding exemptions and the requirements for electronic bid opening. A board may set a lower bidding threshold by policy but should first seek its attorney's advice because such action may expand a board's vulnerability to a bidding challenge.

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4. Third party non-instructional services must comply with 105 ILCS 5/10-22.34c. [129]
5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of $1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21(b-5). The Superintendent or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Superintendent or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget. [130]
6. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10). [131]
7. The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Board policy 4:70, *Resource Conservation*. [132]
8. Each contractor with the District is bound by each of the following:
    a. In accordance with 105 ILCS 5/10-21.9(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS 5/10-21.9(c) and 5/21B-80(c)[133] to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibit any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense;[134] and (3) require each of its employees who will have direct, daily contact with student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her. [135]
    b. In accordance with 105 ILCS 5/22-94: (1) prohibit any of its employees from having *direct contact with children or students* if the contractor has not performed a sexual misconduct related employment history review (EHR) of the employee or if the District objects to the employee's assignment based on the employee's involvement in an instance of sexual misconduct as provided in 105 ILCS 5/22-94(j)(3), which the contractor is required to disclose; (2) discipline, up to and including termination or denial of employment, any employee who provides false information or willfully fails to disclose information required by the EHR; (3)

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

[130] 105 ILCS 5/10-20.21(b-5).

[131] 105 ILCS 5/10-20.21(b-10).

[132] 105 ILCS 5/10-20.19c.

[133] 105 ILCS 5/10-21.9(c); 105 ILCS 5/21B-80(c).

[134] Id.

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

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maintain all records of EHRs and provide the District access to such records upon request; and (4) refrain from entering into any agreements prohibited by 105 ILCS 5/22-94(g). [136]

c. In accordance with 105 ILCS 5/24-5: (1) concerning each new employee of a contractor that provides services to students or in schools, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease; and (2) require any new or existing employee who provides services to students or in schools to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Ill. Dept. of Public Health rules or order of a local health official. [137]

9. Any pavement engineering project using a coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product for pavement engineering-related use must comply with the Coal Tar Sealant Disclosure Act. [138]

10. Design-build contracts must comply with 105 ILCS 5/15A-1 et seq. [139]

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[136] 105 ILCS 5/22-94, added by P.A. 102-702. See sample administrative procedure 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*. For the definition of *sexual misconduct*, see 105 ILCS 5/22-85.5(c), added by P.A. 102-676, and sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*. *Direct contact with children or students* is defined as "the possibility of care, supervision, guidance, or control of children or students or routine interaction with children or students." 105 ILCS 5/22-94(b), added by P.A. 102-702. This standard, which triggers the EHR, appears on its face to be broader than the *direct, daily contact* standard that triggers the *complete criminal history records check* in 105 ILCS 5/10-21.9(f). See sample administrative procedures 5:30-AP2, *Investigations*, 4:60-AP3, *Criminal History Records Check of Contractor Employees*, and 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*, for more information. For example, a contracted night custodian who may have some passing, routine interaction with students who are on campus for after-school events, but does not have direct, daily contact with students triggers an EHR but not necessarily a *complete criminal history records check*. It is less clear if the reverse scenario could arise where a *complete criminal history records check* under 105 ILCS 5/10-21.9(f) would be required but an EHR would not be required. For ease of administration, a district may wish to require contractors to undergo a *complete criminal history records check* whenever the obligation to conduct an EHR is triggered, and vice versa.

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

[137] 105 ILCS 5/24-5. P.A. 98-716 expanded the scope of 105 ILCS 5/24-5 by adding a definition of *employee* that includes contractors' employees for whom a criminal history records check is required. Since Aug. 2014, the Ill. Dept. of Public Health (IDPH) has not required school employees to be screened for tuberculosis other than workers in child day care and preschool settings. 77 Ill.Admin.Code §696.140(a)(3). Before requesting a contractor's employee for a health examination, contact the board attorney concerning this action's legality under other personnel laws, including the Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et seq.).

[138] 410 ILCS 170/10(b), added by P.A. 102-242.

[139] 105 ILCS 5/15A-1 et seq., added by P.A. 103-491. Under a *design-build* delivery system for a construction project, a board contracts with a *design-build entity* that furnishes architecture, engineering, land surveying, public art or interpretive exhibits, and other construction services, as required for the project. It allows a single contractor to manage both the design and construction of a project, creating the potential for greater efficiency. Contrast this method with the traditional *design-bid-build* delivery method, in which a board contracts with multiple entities and utilizes a competitive bidding process for certain contractors, such as a general contractor. 105 ILCS 5/15A-1 et seq., added by P.A. 103-491, does not impact a district's ability to use a qualification-based selection process under 50 ILCS 510/, Local Government Professional Services Act (LGPSA), to select design professionals or construction managers for design-build projects. 105 ILCS 5/15A-50. See sample policy 2:170, *Procurement of Architectural, Engineering, and Land Surveying Services*. For design-build projects, consult with the board attorney as needed to ensure the district: (1) complies with the specific procedural requirements related to requests for proposals (RFPs) and evaluation of RFP submissions for these contracts, and (2) incorporates additional criteria for requests for proposals and evaluation of proposals based on local conditions and the specific project, as permitted by the statute. Note that under 105 ILCS 5/15A-20, added by P.A. 103-491, a board must employ or contract with an independent design professional or public art designer (as applicable) selected under the LGPSA to assist with developing the scope and criteria for performance for a request for proposal under a design-build delivery system.

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11. Any new contract for a district-administered assessment must comply with 105 ILCS 5/10-20.86. [140]
12. Purchases made with federal or State awards must comply with 2 C.F.R. Part 200 and 30 ILCS 708/, as applicable, and any terms of the award. [141]

The Superintendent or designee shall: (1) execute the reporting and website posting mandates in State law concerning District contracts, and (2) monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided. [142]

LEGAL REF.: 2 C.F.R. Part 200.
105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-20.86, 5/10-21.9, 5/10-22.34c, 5/15A-1 et seq., 5/19b-1 et seq., 5/22-94, and 5/24-5.
30 ILCS 708/, Grant Accountability and Transparency Act.
410 ILCS 170/, Coal Tar Sealant Disclosure Act.
820 ILCS 130/, Prevailing Wage Act.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting)

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[140] 105 ILCS 5/10-20.86, added by P.A. 103-393 and renumbered by P.A. 103-605. See sample administrative procedure 4:60-AP1, *Purchases*, for specific requirements. A *district-administered assessment* is one that requires all student test takers at any grade level to answer the same questions, or a selection of questions from a common bank of questions. It does *not* include the observational assessment tool used to satisfy the annual kindergarten assessment required by 105 ILCS 5/2-3.64a-10 or an assessment developed by district teachers or administrators that is used to measure student progress at an attendance center. Id.

[141] 2 C.F.R. §§200.318-200.327; 30 ILCS 708/. The Grant Accountability and Transparency Act (GATA) adopts the federal uniform guidance for all grants unless the Office of the Governor grants an exception. 30 ILCS 708/55; 44 Ill.Admin.Code §7000.60. For information about the scope of GATA as it pertains to grants administered by the Ill. State Board of Education, see www.isbe.net/gata.

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

> The Superintendent or designee shall: (1) execute the reporting and website posting mandates in State law concerning District contracts and maintain a status report for monthly presentation to the Board, and (2) monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided.

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Operational Services

Facility Management and Building Programs [143]

The Superintendent shall manage the District's facilities and grounds as well as facility construction and building programs in accordance with the law, the standards set forth in this policy, and other applicable School Board policies. The Superintendent or designee shall facilitate: (1) inspections of schools by the Regional Superintendent and State Fire Marshal or designee, (2) review of plans and specifications for future construction or alterations of a school if requested by the relevant municipality, county (if applicable), or fire protection district, and (3) compliance with the 10-year safety survey process required by the School Code. [144]

Standards for Managing Buildings and Grounds

All District buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy efficient physical environment for learning and teaching. The Superintendent or designee shall provide

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

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

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

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

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

[144] 105 ILCS 5/2-3.12, 5/3-14.20, and 5/3-14.21.

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

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

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the Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. Prior Board approval is needed for all renovations or permanent alterations to buildings or grounds when the total cost will exceed $17,500, including the cost equivalent of staff time.[145] This policy is not intended to discourage efforts to improve the appearance of buildings or grounds that are consistent with the designated use of those buildings and grounds.

Standards for Green Cleaning [146]

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

Standards for Facility Construction and Building Programs [147]

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

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[145] This provision is optional and the amount may be changed. The $17,500 spending limit is one-half of the bidding threshold for purchases or contracts. 105 ILCS 5/10-20.21, amended by P.A. 103-8. This provision's intent is to ensure that the board is kept informed about significant renovations and permanent alterations. A board should discuss this provision with its superintendent before including it in the policy.

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

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

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

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

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

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

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

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

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

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

Naming Buildings and Facilities [148]

Recognizing that the name for a school building, facility, or ground or field reflects on its public image, the Board's primary consideration will be to select a name that enhances the credibility and stature of the school or facility. Any request to name or rename an existing facility should be submitted to the Board. When a facility is to be named or renamed, the Board President will appoint a special committee to consider nominations and make a recommendation, along with supporting rationale, to the Board.[149] The Board will make the final selection. The Superintendent or designee may name a room or designate some area on a school's property in honor of an individual or group that has performed outstanding service to the school without using the process in this policy.

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[148] This section is optional and its contents are at the board's discretion.

[149] If the board wants to include criteria for the committee, insert the following:

"The committee will:

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

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

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

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Operational Services

Environmental Quality of Buildings and Grounds [150]

The Superintendent shall take all reasonable measures to protect: (1) the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials, and (2) the environmental quality of the District's buildings and grounds. [151]

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

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

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

1. Several federal laws regulate asbestos as a hazardous substance, the most significant for schools being the Asbestos Hazard Emergency Response Act of 1986. 15 U.S.C. § 2641 et seq. The Asbestos Abatement Act. 105 ILCS 105/, requires schools to perform a variety of functions regarding asbestos. Federal and State regulations also require annual notice to parents and employees of the availability of the district's asbestos management plan. 40 C.F.R. §763.93(g)(4); 77 Ill.Admin.Code §855.300(a)(3). This can be inserted in student handbooks; the Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook* (MSH), at: www.ilprincipals.org/msh/.
2. The Indoor Air Quality Act, 410 ILCS 87/. The Ill. Dept. of Public Health (IDPH) Guidelines for Indoor Air Quality are advisory, i.e., not enforceable. See https://dph.illinois.gov/topics-services/environmental-health-protection/toxicology/indoor-air-quality-healthy-homes.
3. The Smoke-Free Illinois Act, 410 ILCS 82/, bans tobacco smoking inside schools.
4. The Structural Pest Control Act, 225 ILCS 235/, requires IDPH to establish guidelines for an integrated pest management program for schools. See https://dph.illinois.gov/topics-services/environmental-health-protection/structural-pest-control/integrated-pest-management, or https://dph.illinois.gov/topics-services/environmental-health-protection/structural-pest-control.
5. Notices to employees and parents/guardians before pesticide applications are required by the Structural Pest Control Act. 225 ILCS 235/10.3. The Lawn Care Products Application and Notice Act requires similar notices but only to parents/guardians. 415 ILCS 65/3.
6. The Green Cleaning School Act, 105 ILCS 140/, and Green Cleaning for Elementary and Secondary Schools, 23 Ill.Admin.Code Part 2800, contain guidelines for green cleaning. See sample policy 4:150, *Facility Management and Building Programs*.
7. The Green Buildings Act requires all new State-funded building construction and major renovation projects to meet specified environmental requirements. 20 ILCS 3130/. Waivers may be granted by the Capital Development Board in certain situations. Id.
8. The Ill. legislature recommended that each occupied school building be tested every five years for radon and provided a process for the screening in 105 ILCS 5/10-20.48.

Employers must provide all employees with an education and training program with respect to all toxic substances to which an employee is routinely exposed while working. 820 ILCS 255/16; 23 Ill.Admin.Code §1.330. However, this section and most of the Toxic Substances Disclosure to Employees Act (820 ILCS 255/) are **inoperative**: its implementing rules (56 Ill.Admin.Code Part 205) were repealed. Instead, the Ill. Dept. of Labor enforces the federal Occupational Safety and Health Administration Hazard Communication Standards at 29 C.F.R. §1910.1200. 820 ILCS 255/1.5, amended by P.A. 102-1071. Thus, school districts must follow the federal disclosure and training requirements.

9. 105 ILCS 5/2-3.204 (final citation pending), added by P.A. 103-736, eff. 1-1-25, requires the Ill. State Board of Education (ISBE), in consultation with IDPH and other stakeholders, to compile resources on indoor air quality for schools and post them on ISBE's website.

[151] A board persuaded by #8 in the above footnote may add the following option:

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Pesticides

Pesticides will not be applied on the paved surfaces, playgrounds, or playing fields of any school serving grades K-8 during a school day or partial school day when students are in attendance for instructional purposes.[152] Additionally, the application of any restricted use pesticides is prohibited on or within 500 feet of school property during normal school hours.[153] Before pesticides are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/.[154]

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

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

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

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

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

[153] 415 ILCS 60/14 3.F., added by P.A. 102-548. *Normal school hours* means Monday through Friday from 7 a.m. until 4 p.m., excluding days when classes are not in session. Id. The statute prohibits restricted pesticide applications during *normal hours* but defines *normal school hours*. This policy uses normal school hours. *State Restricted Pesticide Use* is defined as any pesticide use which the Director (Ill. Dept. of Agriculture or his or her authorized representative) determines, subsequent to public hearing, that an additional restriction for that use is needed to prevent unreasonable adverse effects. Id. at 60/4 36.

[154] Different requirements pertain to the notices in the Structural Pest Control Act (225 ILCS 235/10.3) and the Lawn Care Products Application and Notice Act (415 ILCS 65/3(f)). Both require notice to parents/guardians. Notice to employees is only required by the Structural Pest Control Act. For the sake of simplicity, the sample policy requires notice to employees before pesticides are used. Notice at least four business days before application is required by Lawn Care Products Application and Notice Act; notice at least two business days is required by the Structural Pest Control Act; and the Illinois Pesticide Act (415 ILCS 60/14 3.F., amended by P.A. 102-548) makes it unlawful to apply a restricted use pesticide on or within 500 feet of school property during normal hours, except for whole structure fumigation, and if the pesticide application information listed on the pesticide label is more restrictive than the law, then the more restrictive provision applies.

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

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

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

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Coal Tar Sealant [155]

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

LEGAL REF.: 105 ILCS 5/10-20.17a; 5/10-20.48.
29 C.F.R. §1910.1030, Occupational Exposure to Bloodborne Pathogens, as adopted by the Illinois Department of Labor, 56 Ill.Admin.Code §350.700(b).
29 C.F.R. §1910.1200, Occupational Safety and Health Administration Hazard Communication Standards, as adopted by 820 ILCS 255/1.5, Toxic Substances Disclosure to Employees Act.
20 ILCS 3130/, Green Buildings Act.
105 ILCS 135/, Toxic Art Supplies in Schools Act.
105 ILCS 140/, Green Cleaning School Act.
105 ILCS 160/, Pesticide Application at Schools Act.
225 ILCS 235/, Structural Pest Control Act.
415 ILCS 60/14, Illinois Pesticide Act.
415 ILCS 65/, Lawn Care Products Application and Notice Act.
410 ILCS 170/, Coal Tar Sealant Disclosure Act.
820 ILCS 255/, Toxic Substances Disclosure to Employees Act. (inoperative)
23 Ill.Admin.Code §1.330.

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

[155] 410 ILCS 170/10(a)(1)-(4), added by P.A. 102-242, requires schools to provide written or telephonic notification to employees and parents/guardians of students prior to any application of a coal tar-based sealant product or a high polycyclic aromatic hydrocarbon sealant product. Written notifications must: (1) be included in newsletters, bulletins, calendars, or other correspondence currently published by the district (this is the only prong of written notice that is permissive); (2) be given at least 10 business days before the application and should identify the intended date and location of the application of the coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant; (3) include the name and telephone contact number for the school or day care center (if the district has one) personnel responsible for the application; and (4) include any health hazards associated with coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product, as provided by a corresponding safety data sheet.

Districts may want to include numbers (3) and (4) in their student handbooks. The IPA maintains a handbook service that coordinates with PRESS material, Online Model Student Handbook (MSH), at: www.ilprincipals.org/msh/.

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Operational Services

Safety [156]

Safety and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on District property or at a District event.[157] The Superintendent or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

1. An emergency operations and crisis response plan(s) addressing prevention, preparation, response, and recovery for each school; [158]
2. Provisions for a coordinated effort with local law enforcement and fire officials, emergency medical services personnel, and the Board Attorney;
3. A school safety drill plan;

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[156] State law requires a policy on several topics in this policy and otherwise controls this policy's content. Topics previously assigned to this code number were moved in May 2014 and placed in sample policies 4:100, *Insurance Management*, and 4:175. *Convicted Child Sex Offender; Screening; Notifications.*

Grants may be available from the Ill. State Board of Education (ISBE) to support school safety improvements, including professional development; safety-related upgrades to school buildings, equipment, and facilities; additional resources to implement restorative interventions and resolution strategies as alternatives to exclusionary discipline; and crisis response mapping data. 105 ILCS 5/2-3.180, 5/2-3.181, and 128/50, added by P.A. 103-8.

Based upon the recommendation of the Federal Commission on School Safety in, the U.S. Depts. of Homeland Security, Education, Justice, and Health and Human Services created a central school safety clearinghouse website at: www.schoolsafety.gov, to share actionable recommendations to help schools prevent, protect, mitigate, respond to, and recover from emergency situations. Topics include bullying/cyberbullying, student mental health, school climate, threat assessment, emergency planning, security, recovery, and drills.

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

[158] The term *emergency operations and crisis response plan* is used because federal agencies refer to school *emergency operations plans* and the School Safety Drill Act (105 ILCS 128/) refers to *emergency and crisis response plans*. 105 ILCS 128/55, added by P.A. 103-194 and renumbered by P.A. 103-605, requires a school building's emergency and crisis response plan, protocol, and procedures to include a plan for local law enforcement to rapidly enter a school building in an emergency.

See sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. This procedure follows the recommendations in the *Guide for Developing High-Quality School Emergency Operations Plans*, produced by a collaboration of federal agencies in June 2013 at: www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf . The *Guide* informs schools what they *need* to do, not *what* to do. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content. See also *The Role of Districts in Developing High-Quality School Emergency Operations Plans: A Companion to the School Guide*, at: https://rems.ed.gov/docs/District_Guide_508C.pdf.

ISBE maintains a comprehensive website on school emergency and crisis response planning in compliance with the School Safety Drill Act and Joint Rules of the Office of the State Fire Marshal and ISBE (29 Ill.Admin.Code Part 1500), at www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. ISBE's website includes a *Sample School Emergency Operations Plan* which aligns with the federal *Guide for Developing High-Quality School Emergency Operations Plans*.

105 ILCS 128/45, amended by P.A. 103-780, required school districts to implement a threat assessment procedure by 12-6-19, and to establish a threat assessment team by 2-19-20. The threat assessment procedure may be part of a board policy on targeted school violence prevention that includes the creation of a threat assessment team. For more discussion, see sample policy 4:190, *Targeted School Violence Prevention Program*.

105 ILCS 5/10-20.72 allows school districts to install a door security locking means on a door of a school building to prevent unwanted entry through the door only if the door security locking means is used: (1) by a trained school district employee; (2) during an emergency that threatens the health and safety of students and employees or during an active shooter drill; and (3) when local law enforcement officials and the local fire department have been notified of its installation prior to its use. Id.

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4. Instruction in safe bus riding practices;[159] and
5. A clear, rapid, factual, and coordinated system of internal and external communication.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practices discussed for their building regarding the use of any available cellular telephones. [160]

School Safety Drill Plan [161]

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

1. Three school evacuation drills to address and prepare students and school personnel for fire incidents. One of these three drills shall require the participation of the local fire department or district.
2. One bus evacuation drill.
3. One severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents.
4. One law enforcement lockdown drill to address a school shooting incident and to evaluate the preparedness of school personnel and students. This drill shall occur no later than 90 days after the first day of school of each year, and shall require the participation of all school personnel and students present at school at the time of the drill, except for those exempted by administrators, school support personnel, or a parent/guardian. [162]

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[159] Required by 105 ILCS 128/20(b) and 105 ILCS 5/10-20.14(c), amended by P.A. 103-896, for all students. See sample administrative procedure 4:110-AP3, *School Bus Safety Rules*. In consultation with stakeholders, the Ill. State Board of Education (ISBE) must draft and publish guidance for school bus safety procedures by 7-1-25. 105 ILCS 5/10-20.14(c), amended by P.A. 103-896.

[160] 105 ILCS 5/10-20.28. Consider discussing with local law enforcement what its preference would be and encourage staff and students to follow the recommendation. A wave of 911 cell phone calls can jam phone lines. Student use of cell phones is addressed in 7:190, *Student Behavior*.

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

[161] Each of the listed drills is required by the School Safety Drill Act. Each drill's requirements are comprehensively covered in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. For information about documenting minimum compliance with the School Safety Drill Act, see www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx.

105 ILCS 5/2-3.12(f) authorizes the Ill. State Fire Marshal or a qualified fire official to whom the Ill. State Fire Marshal has delegated his or her authority to conduct an annual fire safety inspection of each school building, provided the inspection is coordinated with the regional superintendent. See also 105 ILCS 5/3-14.21(c) (inspection of schools) and 23 Ill.Admin.Code §180.300(b) (annual building and fire safety inspections). To effectively implement this law and ensure the education of students in the district is not disturbed, school officials should discuss with the Ill. State Fire Marshal and regional superintendent whether written notice may be provided to the principal requesting to schedule a mutually agreed upon time.

[162] 105 ILCS 128/20(c), amended by P.A. 102-395. While 105 ILCS 128/20(c) uses both *lockdown drill* and *walk-through lockdown drill*, the terms are synonymous. For brevity, this material uses the term *lockdown drill*. Schools must (1) notify parents/guardians in advance of any lockdown drill that involves student participation, and (2) allow parents/guardians to exempt their child(ren) from participating for any reason. School administrators and support personnel may, at their discretion, exempt a student from participating in a lockdown drill. 105 ILCS 128/20(c)(4), added by P.A. 102-395. When deciding whether to exempt a student, such personnel must include the student's individualized education program team or 504 plan team, if any, in the decision. 105 ILCS 128/20(c)(4), amended by P.A. 103-197. For students who do not participate in the lockdown drill, districts must provide alternative safety education and instruction related to an active threat or active shooter event. For students who do participate in the lockdown drill, districts must allow them to ask questions related to it.

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Annual Review

The Board or its designee will annually review each school building's emergency operations and crisis response plan(s), protocols, and procedures, as well as each building's compliance with the school safety drill plan. This annual review shall be in accordance with the School Safety Drill Act (105 ILCS 128/) and the Joint Rules of the Office of the State Fire Marshal and the Ill. State Board of Education (ISBE). [163]

Automated External Defibrillator (AED) [164]

At least one automated external defibrillator (AED) shall be present in each District attendance center during the school day and during any District-sponsored extracurricular activity on school grounds. In addition, the Superintendent or designee shall implement a written plan for responding to medical emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act and shall file a copy of the plan with the Ill. Dept. of Public Health (IDPH). The plan shall provide for at least one AED to be available at every physical fitness facility on the premises according to State law requirements.

The District shall have an AED on site as well as a trained AED user: (1) on staff during staffed business hours; and (2) available during activities or events sponsored and conducted or supervised by the District.[165] The Superintendent or designee shall ensure that every AED on the District's premises is properly tested and maintained in accordance with rules developed by the IDPH.[166] This policy does not create an obligation to use an AED.

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

[163] 29 Ill.Admin.Code Part 1500. The School Safety Drill Act requires each school board or its designee to conduct one annual meeting at which it reviews each building's emergency and crisis response plan, protocols, and procedures, including procedures regarding the school district's threat assessment team, procedures regarding the district's cardiac emergency response plan, the efficacy and effects of law enforcement drills, and each building's compliance with the school safety drill plan. 105 ILCS 128/25, amended by P.A.s 102-395 and 103-608, eff. 1-1-25, and 128/30, amended by P.A. 103-175; 29 Ill.Admin.Code Part 1500. If the board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The statute contains detailed requirements. The board or its designee must: (1) complete a one-page report certifying that the review took place, among other things; (2) send a copy of the report to each participating party; and (3) send a copy of the report to the appropriate Regional Superintendent. 105 ILCS 128/25(c), (d). ISBE's website contains a suggested annual review checklist and a report form to document compliance at: www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. The American Heart Association's cardiac emergency response plan template and implementation materials are available at: www.heart.org/CERP.

[164] 105 ILCS 5/10-20.87, added by P.A. 103-1019, eff. 1-1-25. An AED installed and maintained according to the Physical Fitness Facility Medical Emergency Preparedness Act (210 ILCS 74/) can be used to satisfy this requirement. Id. Each indoor and outdoor physical fitness facility serving at least 100 individuals must "adopt and implement a written plan for responding to medical emergencies that occur at the facility during the time that the facility is open for use by its members or by the public." 210 ILCS 74/10(a). The facility must file the plan with the Ill. Dept. of Public Health (IDPH). Id. In addition, each indoor facility must have at least one AED on the premises, and each outdoor facility must house an AED in a building, if any, that is within 300 feet of the outdoor facility. 210 ILCS 74/15. See the statute and administrative rules for the other numerous mandates: 210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act; 77 Ill.Admin.Code Part 527, Physical Fitness Facility Medical Emergency Preparedness Code. Also see sample administrative procedure 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*.

[165] 77 Ill.Admin.Code §527.600(d), (f).

[166] 210 ILCS 74/15(c); 77 Ill.Admin.Code §527.700.

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Carbon Monoxide Alarms [167]

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

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

Soccer Goal Safety [168]

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

Unsafe School Choice Option [169]

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

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

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

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[167] 105 ILCS 5/10-20.57. *Carbon monoxide detector* and *detector* mean a device having a sensor that responds to carbon monoxide gas and that is connected to an alarm control unit and approved in accordance with rules adopted by the Ill. State Fire Marshal. 105 ILCS 5/10-20.57(a). *Approved carbon monoxide alarm* or *alarm* means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Ill. State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association. 430 ILCS 135/5.

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

[168] Include this section **only if** the school district owns and controls a movable soccer goal. Movable Soccer Goal Safety Act, a/k/a *Zach's Law*, 430 ILCS 145/. The Act requires: (1) organizations that own and control a movable soccer goal to create a soccer goal safety and education policy that outlines how the organization will specifically address the safety issues associated with movable soccer goals; and (2) the IDPH to provide technical assistance materials. 430 ILCS 145/10, 20. See www.dph.illinois.gov/topics-services/prevention-wellness/injury-violence-prevention/soccer-goal-safety.

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

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

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

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

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Lead Testing in Water [170]

The Superintendent or designee shall implement testing for lead in each source of drinking water in school buildings in accordance with the Ill. Plumbing License Law and guidance published by the IDPH.[171] The Superintendent or designee shall notify parent(s)/guardian(s) about the sampling results from their children's respective school buildings. [172]

Emergency Closing

The Superintendent is authorized to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property. [173]

LEGAL REF.: 105 ILCS 5/10-20.2, 5/10-20.57, 5/18-12, and 5/18-12.5.
105 ILCS 128/, School Safety Drill Act; 29 Ill.Admin.Code Part 1500.
210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act.
225 ILCS 320/35.5, Ill. Plumbing License Law.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 4:180 (Pandemic Preparedness; Management; and Recovery), 4:190 (Targeted School Violence Prevention Program), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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[170] 225 ILCS 320/35.5. Requires that each source of potable water in school buildings constructed on or before 1-1-00, which may be occupied by more than 10 children in grades pre-K through 5, be tested for lead. Testing for buildings constructed prior to 1-1-87 must have been conducted by 12-31-17. 225 ILCS 320/35.5(c)(4). Testing for buildings constructed between 1-2-87 and 1-1-00 must have been conducted by 12-31-18. Id. By 6-30-19, the IDPH was to determine whether it is necessary and appropriate to require testing for buildings constructed after 1-1-00. 225 ILCS 320/35.5(d). IDPH recommends that all schools constructed in whole or in part from 1-2-00 through 1-4-14 test all sources of potable water for lead. See IDPH's recommendations at: www.isbe.net/Documents/Improving-Water-Quality-Illinois-Schools.pdf. For high school districts, delete this subhead if no lead testing occurs.

Boards may, by resolution, use excess taxes levied for fire prevention, safety, energy conservation, and school security purposes for sampling lead in drinking water in schools and for repair and mitigation due to lead levels in the drinking water supply. 105 ILCS 5/17-2.11(j)(1).

[171] 225 ILCS 320/35.5(e) requires the IDPH to post on its website guidance on mitigation actions for lead in drinking water, and ongoing water management practices, in schools. See *Mitigation Strategies for Lead Found in School Drinking Water* at: https://dph.illinois.gov/content/dam/soi/en/web/idph/files/publications/school-lead-mitigation-strategies-050917.pdf.

[172] If any samples taken in the school exceed five parts per billion, a district must provide individual notification of sampling results, via written or electronic communication, to parents/guardians of all enrolled students that must include: (1) the corresponding sampling location within the school building; and (2) the U.S. Environmental Protection Agency's website for information about lead in drinking water at: www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water. 225 ILCS 320/35.5(c)(3). If any samples taken in the school are at or below five parts per billion, notification may be made in the same manner or by posting on the school's website. Id.

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

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

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Operational Services

Administrative Procedure - Comprehensive Safety and Security Plan [1]

Contents:

A. Safety- and Security-Related Administrative Procedures and Forms
B. Definitions
C. District Safety Coordinator and Safety Team; Responsibilities
D. Safety Team Meetings
E. Annual Safety Review
F. School Safety Drill Plan
G. School Emergency Operations and Crisis Response Plan (SEOCRP)
H. Material to be Included in Each SEOCRP
I. Managing Communications During and About an Emergency or Crisis
J. Required Notices
K. Resources
Attachment A – School Emergency Operations and Crisis Response Plan Format
Attachment B – Alignment of Comprehensive Safety and Security Plan with Targeted School Violence Prevention Program

A. Safety and Security Related Administrative Procedures and Forms

Administrative material on school safety and security may be implemented under this plan, including, without limitation, any in the following list.

4:60-AP3	*Criminal History Records Check of Contractor Employees*
4:110-AP1	*School Bus Post-Accident Checklist*
4:110-AP3	*School Bus Safety Rules*
4:110-E	*Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses*
4:160-AP	*Environmental Quality of Buildings and Grounds*
4:170-AP1, E1	*Accident or Injury Form*
4:170-AP1, E2	*Memo to Staff Members Regarding Contacts by Media About a Crisis*
4:170-AP2	*Routine Communications Concerning Safety and Security*
4:170-AP2, E1	*Letter to Parents/Guardians Regarding Student Safety*
4:170-AP2, E2	*Letter to Parents/Guardians Regarding the Dangers of Underage Drinking*
4:170-AP2, E3	*Letter to Parents/Guardians About Disruptive Social Media Apps; Dangers*
4:170-AP2, E4	*Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting*

[1] This procedure follows the recommendations in the *Guide for Developing High-Quality School Emergency Operations Plans*, produced by a collaboration of federal agencies in 2013, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. The *Guide* informs schools what they *need* to do, not *what* to do. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content.

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4:170-AP2, E5	*Notice to Parents/Guardians of Lockdown Drill; Opt-out*
4:170-AP4	*National Terrorism Advisory System*
4:170-AP5	*Unsafe School Choice Option*
4:170-AP6	*Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*
4:170-AP6, E1	*School Staff AED Notification Letter*
4:170-AP6, E2	*Notification to Staff and Parents/Guardians of CPR and AED Video*
4:170-AP8	*Movable Soccer Goal Safety*
4:175-AP1	*Criminal Offender Notification Laws; Screening*
4:175-AP1, E1	*Informing Parents/Guardians About Offender Community Notification Laws*
4:180-AP1	*School Action Steps for Pandemic Influenza or Other Virus/Disease*
4:180-AP2	*Pandemic Influenza Surveillance and Reporting*
4:190	*Targeted School Violence Prevention Program*
4:190-AP1	*Targeted School Violence Prevention Program*
4:190-AP1, E1	*Targeted School Violence Prevention Program Resources*
4:190-AP2	*Threat Assessment Team (TAT)*
4:190-AP2, E1	*Principles of Threat Assessment*
4:190-AP2, E2	*Threat Assessment Documentation*
4:190-AP2, E3	*Threat Assessment Key Areas and Questions; Examples*
4:190-AP2, E4	*Responding to Types of Threats*
4:190-AP2, E5	*Threat Assessment Case Management Strategies*
4:190-AP2, E6	*Targeted School Violence Prevention and Threat Assessment Education*
6:235-E4	*Keeping Yourself and Your Kids Safe On Social Networks*
6:235-E5	*Children's Online Privacy Protection Act*
7:140-AP	*Use of Metal Detectors and Searches for Student Safety*
7:140-E	*Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act*
7:150-AP	*Agency and Police Interviews*
7:280-AP	*Managing Students with Communicable or Infectious Diseases*
7:290-AP	*Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*

B. Definitions

SEOCRP is a School Emergency Operations and Crisis Response Plan[2] (formerly *Emergency Operations Plan*). Each school or facility has an SEOCRP.

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[2] The term *emergency operations and crisis response plan* is used because federal agencies refer to school *emergency operations plans*, and the School Safety Drill Act (105 ILCS 128/) refers to *emergency and crisis response plans*.

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First responders are local law enforcement, fire department officials, emergency medical services personnel, and any other entity in the community that provides emergency assistance.

Incident means any event or occurrence that threatens the safety and security of individuals on school property or at school events.

District Safety Coordinator is the individual who manages the District's safety and security efforts.

Safety Team is the Superintendent's administrative committee that is responsible for its respective SEOCRP. Each school or facility has a Safety Team.

SRO means school resource officer, defined as a law enforcement officer who has been primarily assigned to a school or school district under an agreement with a local law enforcement agency. [3]

C. District Safety Coordinator and Safety Team; Responsibilities

The Superintendent appoints an administrator to be the **District Safety Coordinator** to manage the District's safety and security efforts and serve as the District's spokesperson during a crisis or emergency.

The Superintendent appoints members of a **Safety Team** for each school or facility, with input from the District Safety Coordinator and each school's Building Principal. The Building Principal and SRO, if any, shall be members of the Safety Team.

The District Safety Coordinator and each school's Safety Team are responsible for developing, implementing, and maintaining a **SEOCRP** with the following objectives as explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013),* at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf:

- **Prevention**, meaning the capabilities needed to avoid, deter, or stop an incident. Prevention requires the use of: (a) research-based principles of safety and security, (b) an ongoing analysis of data (e.g., incident and inspection reports, complaints, suggestions), and (c) an ongoing program for identifying and evaluating unreasonable risks.
- **Protection,** meaning the capabilities needed to secure schools against violence and manmade or natural disasters. Protection focuses on ongoing actions that protect students, teachers, staff, visitors, networks, and property from a threat or hazard.
- **Mitigation,** meaning the capabilities needed to reduce the likelihood or impact of an incident or emergency. Mitigation requires, among other things, high-quality training, and instruction programs to execute and improve the SEOCRP.
- **Response**, meaning the capabilities needed to stabilize an incident, save lives, establish a safe and secure environment, and facilitate the transition to recovery. Effective response requires, among other things, a clear, rapid, factual, and coordinated system of internal and external communication.
- **Recovery,** meaning the capabilities needed to restore the learning environment.

D. Safety Team Meetings

The District Safety Coordinator chairs the Safety Team meetings. The meetings are held as determined by the District Safety Coordinator. **At least once annually, the Safety Team shall request the participation of first responders and the Board Attorney in a meeting to review and provide input.** The following matters are suggested agenda items:

- Review the agenda and determine who will take meeting notes.
- Review the notes from the previous meeting.
- Discuss the status of previously submitted recommendations.

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[3] 105 ILCS 5/10-20.68.

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- Receive, review, and discuss individual and Safety Team committee reports and recommendations concerning one or more items below.
    1. Safety and security data from incidents, investigations, audits, etc.
    2. Recommendations received from stakeholders and first responders
    3. Emerging issues
    4. Status of the SEOCRP
    5. Status of the safety and security communication system
    6. Status of training programs
    7. Status of programs to build awareness of, and support for, the SEOCRP (contests, posters, drives, etc.)
- Clarify information and recommendations for a report to the Superintendent.
- Confirm the Safety Team meeting schedule and review upcoming meeting dates.

E. Annual Safety Review

The District Safety Coordinator facilitates the annual safety review meeting conducted by the School Board or its designee, as required by 105 ILCS 128/25, amended by P.A.s 102-395 and 103-608, eff. 1-1-25, and 128/30. During the annual safety review, the law requires the School Board or its designee to "review each school building's emergency and crisis response plans, protocols, and procedures, including procedures regarding the District's threat assessment team, procedures regarding the District's cardiac emergency response plan, the efficacy and effects of law enforcement drills, and each building's compliance with the school safety drill programs." If the school board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The District Safety Coordinator assists the Board or its designee to comply with annual review requirements, including without limitation, the completion of a report certifying that the review took place. See the Ill. State Board of Education (ISBE) website for an annual review checklist and report at: www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx. The Open Meetings Act (OMA) allows the Board to enter closed session to discuss security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8). Consult the Board Attorney for assistance with this OMA exception.

F. School Safety Drill Plan

The School Safety Drill Act (105 ILCS 128/, amended by P.A.s 102-395, 102-791, 103-104, 103-197, and 103-780) and any implementing State administrative rules shall supersede this procedure in the event of a conflict.

The Building Principal shall keep the Superintendent or designee informed of when drills are scheduled and/or accomplished. ISBE's fillable *School Drill Documentation* form for documenting the completion of minimum drill requirements may be used (see www.isbe.net/Documents/91-02_school_drill_documentation.pdf).

Each academic year, each school building that houses students must conduct a minimum of:

1. **Three school evacuation drills.** These drills prepare students and personnel for situations that occur when conditions outside of a school building are safer than inside a school building. Evacuation may be necessary depending on the circumstances. They may include a fire, suspicious item or person, or incident involving a hazardous material, including but not limited to a chemical, incendiary, explosive, and bomb threat.

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One of the three school evacuation drills requires the participation of the appropriate local fire department, unless waived as provided below. A date is selected according to the following timeline:

- No later than **September 1** of each year, the local fire department or fire district must contact the Building Principal in order to make arrangements.
- No later than **September 14** of each year, the Building Principal or designee and the local fire department or fire district may agree to waive the provisions concerning participation by the local fire department in a school evacuation drill.
- No later than **September 15** of each year, each Building Principal or designee must contact the responding local fire official and propose to the local fire official four dates within the month of October, during at least two different weeks of October, on which to hold the drill. The fire official may choose any of the four available dates, and if he or she does so, the drill occurs on that date.
- Alternatively, the Building Principal or designee and the local fire official may, by mutual agreement, set any other date for the drill, including a date outside of the month of October.
- If the fire official does not select one of the four offered dates in October or set another date by mutual agreement, the school does not need to include the local fire service in one of its mandatory school evacuation drills.

After a drill in which the local fire service participated, the Building Principal should request certification from the local fire service that the school evacuation drill was conducted. Additional school evacuation drills for fire incidents may involve the participation of the appropriate local fire department. In addition, schools may conduct additional school evacuation drills to account for other evacuation incidents, including without limitation, suspicious items or bomb threats.

2. **One school bus evacuation drill.** This drill prepares students and school personnel for situations that occur when conditions outside of the bus are safer than inside the bus. Evacuation may be necessary, depending on the circumstances, in the event of a fire, suspicious items, and incidents involving hazardous materials. Schools may conduct additional bus evacuation drills.

   In addition, instruction on safe bus riding practices should be provided for all students. See administrative procedure 4:110-AP3, *School Bus Safety Rules*.

3. **One severe weather and shelter-in-place drill.** This drill prepares students for situations involving severe weather emergencies or the release of external gas or chemicals. Severe weather and shelter-in-place drills must address and prepare students and school personnel for possible tornado incidents. Other drills shall be based on the needs and environment of particular communities, including severe weather (such as tornadoes, wind shears, lightning, and earthquakes), incidents involving hazardous materials, and incidents involving weapons of mass destruction.

4. **One law enforcement lockdown drill.**[4] This drill addresses a school shooting incident and evaluates the preparedness of school personnel and students for situations calling for the involvement of law enforcement when there is an active threat or an active shooter within a school building. A law enforcement lockdown drill must occur no later than 90 days after the first day of each school year. This drill must be conducted: (a) according to the District's emergency operations and crisis response plan(s), (b) on days and times when students are normally present in the school building, and (c) with the participation of all school personnel and students present at school at the

[4] 105 ILCS 128/20(c), amended by P.A. 102-395. While 105 ILCS 128/20(c) uses both *lockdown drill* and *walk-through lockdown drill*, the terms are synonymous. For brevity, this material uses the term *lockdown drill*.

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time of the drill, except for those exempted at the discretion of administrators or school support personnel. The appropriate local law enforcement agency must observe administration of the drill.

Schools must notify parents/guardians in advance of any lockdown drill that involves student participation, and must allow parents/guardians to exempt their child from participating for any reason. The District may, at its discretion, exempt a student from participating in a lockdown drill. 105 ILCS 128/20(c)(4), added by P.A. 102-395. When deciding whether to exempt a student, the District must include the student's individualized education program team or 504 plan team, if any, in the decision. 105 ILCS 128/20(c)(4), amended by P.A. 103-197. For students who do not participate in the lockdown drill, districts must provide alternative safety education and instruction related to an active threat or active shooter event. For students who do participate in the lockdown drill, districts must allow them to ask questions related to it. See exhibit 4:170-AP2, E5, *Notice to Parent/Guardian of Lockdown Drill; Opt-out*. In addition, a law enforcement lockdown drill must meet each of the following criteria:

- During each calendar year, the appropriate local law enforcement agency contacts the Building Principal to request participation in the law enforcement lockdown drill. The Building Principal and the local law enforcement agency shall set, by mutual agreement, a date for the drill.
- The lockdown drill involves the onsite participation of the local law enforcement agency, provided that an agreeable date can be reached between the Building Principal and the local law enforcement agency. If the parties cannot reach an agreeable date, the school shall hold the drill without participation from the local law enforcement agency.
- After a drill in which local law enforcement participated, the Building Principal should request a certification from local law enforcement that the law enforcement lockdown drill was conducted. The local law enforcement agency shall also notify the school of any deficiencies noted during the drill.
- The lockdown drill cannot include any simulations that mimic an actual school shooting incident or active shooter event. Law enforcement may only run an active shooter simulation, including simulated gun fire drills, on school days when students are not present.
- All lockdown drills must be announced in advance to all school personnel and students prior to the commencement of the drill.
- Lockdown drill content must be age and developmentally appropriate, and must include trauma-informed approaches to address the concerns and well-being of school personnel.
- Lockdown drills must include and involve school personnel, including school-based mental health professionals.

The District Safety Coordinator, in cooperation with the Building Principal, shall encourage local law enforcement agencies to establish a school walk-through program. This program encourages local law enforcement officials to walk through school properties during their patrols with the goal of increasing security (school districts are encouraged, but not mandated, to do this by House Resolution 153 (98th General Assembly, 2013)).

G. School Emergency Operations and Crisis Response Plan (SEOCRP)

Each Safety Team shall develop, implement, and maintain a SEOCRP using the process below, as explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013)*, at: www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf:

1. Develop a schedule and invite the participation of first responders.
2. Identify threats and hazards, assess risks, and prioritize threats and hazards.

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5. Share the SEOCRP with stakeholders and train them. This includes, without limitation, having the SEOCRP accessible in a digital format.

Each SEOCRP shall include a plan for local law enforcement to rapidly enter a school building in an emergency. 105 ILCS 128/55, added by P.A. 103-194 and renumbered by P.A. 103-605.

Each SEOCRP shall be in the format suggested by and explained in FEMA's *Guide for Developing High-Quality School Emergency Operations Plans (2013)*, at www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. See also *The Role of Districts in Developing High-Quality School Emergency Operations Plans: A Companion to the School Guide (2019)*, at: https://rems.ed.gov/docs/District_Guide_508C.pdf; and the **Attachment** to this procedure.

H. Material to be Included in Each SEOCRP

Each school Safety Team annually gathers and/or renews the following material for inclusion in the SEOCRP:

1. District-level Targeted School Violence Prevention Plan. See Board policy 4:190, *Targeted School Violence Prevention Program*, and administrative procedure 4:190-AP1, *Targeted School Violence Prevention Program.*
2. Building-level Threat Assessment Team procedures. See administrative procedure 4:190-AP2, *Threat Assessment Team (TAT).*
3. Building evacuation protocol. The Building Principal or designee shall: (a) keep a comprehensive evacuation map - describing main and alternate routes - in the main office, (b) post signs containing main and alternate evacuation routes for each occupied area in a conspicuous place, preferably near the exit, (c) prepare evacuation plans for outdoor areas (playgrounds and stadiums), and (d) keep all staff informed of the evacuation plans.
4. Documents concerning safety drills. The Building Principal shall schedule, execute, and document safety drills as per the School Safety Drill Act (105 ILCS 128/, amended by P.A.s 102-395, 102-791, 103-104, 103-197, and 103-780) and this procedure.
5. Maps and layouts, including: (a) campus map, (b) building floor plan, (c) location of first aid kits, automated external defibrillators (AEDs), fire extinguishers, and any trauma kits (105 ILCS 5/10-20.85, added by P.A. 103-128), and (d) map or plan describing the areas to be used in the event of an emergency or crisis for triage, emergency helicopter landing, media center, non-victim students, and parents/guardians. The Safety Team or Principal shall annually give a copy of these to first responders.
6. A protocol to secure a list of people present in the building at any time.
7. Tornado response plan, including a map showing tornado wall locations (105 ILCS 128/25).
8. Carbon monoxide alarm or detector activation plans, protocols, and procedures (105 ILCS 5/10-20.57 and 430 ILCS 135/).
9. The safety equipment's maintenance schedule and the person(s) responsible.
10. An emergency early dismissal protocol.
11. A plan for inviting warnings or tips, e.g., a hotline or website for individuals to make anonymous tips.
12. A protocol for student supervision in the event of an emergency or crisis.
13. A safety patrol plan (105 ILCS 5/10-22.28).
14. Bicycle use rules.

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15. Roadway and parking rules.
16. Emergency procedures to be followed in cases of injury to or sudden illness of students and/or staff at school and school events (23 Ill.Admin.Code §1.530(c)).
17. A cardiac emergency response plan in accordance with guidelines set forth by the American Heart Association or other nationally recognized, evidence-based standard that addresses the appropriate response to incidents involving an individual experiencing sudden cardiac arrest or a similar life-threatening emergency (105 ILCS 128/60, added by P.A. 103-608, eff. 1-1-25). The plan must include:
    a. Procedures to follow during a cardiac emergency;
    b. A list of every AED that is present and clearly marked or easily accessible at school athletic venues and events and at school, and the maintenance schedule for the AEDs; and
    c. The provision of information on hands-only cardiopulmonary resuscitation and use of AEDs to teachers, administrators, coaches, assistant coaches, and other school staff as identified by administrators, in accordance with 105 ILCS 110/3. Id.
18. See the American Heart Association's cardiac emergency response plan template and implementation materials, at www.heart.org/CERP.A plan for giving students instructions on safe school bus riding practices, including the operation and use of emergency doors and windows (as a means of escape), seat belts, and fire extinguisher (105 ILCS 128/20(b)). The District's parent-teacher advisory committee, in cooperation with school bus personnel, establishes and maintains bus safety rules (105 ILCS 5/10-20.14). See administrative procedure 4:110-AP3, *School Bus Safety Rules*.
19. Safety and security related administrative material. See section A, above.
20. The location of any door security locking means and the use of the locking and unlocking means from within and outside the room(s) (105 ILCS 5/10-20.72, renumbered by P.A. 102-558).
21. Other documents identified by the Safety Team.

I. Managing Communications During and About an Emergency or Crisis

The District Safety Coordinator, with assistance from the Safety Team, is responsible for compiling information and preparing communications concerning an emergency or crisis. The District Safety Coordinator serves as the spokesperson during a crisis or emergency. All District communications should come from this source to ensure accuracy, creditability, and compliance with laws granting confidentiality to student records.

The spokesperson shall follow best practices for spokespersons during an emergency or crisis and receive training on public relations. The Board Attorney serves as a resource to the spokesperson. The objective is:

- To provide the maximum amount of verified information to staff members, students' family members, and the media as quickly as possible,
- While simultaneously respecting student privacy and complying with laws granting confidentiality to student records (Ill. School Student Records Act, 105 ILCS 10/; Family Educational Rights and Privacy Act, 20 U.S.C. §1232g). See administrative procedure 7:340-AP1, *School Student Records*.

All staff members are requested to refrain from spreading information about an emergency or crisis unless the information is from the District Safety Coordinator. All inquiries should be directed to the spokesperson.

Everyone in the school community can positively affect an emergency or crisis situation by:

1. Avoiding speculation as to the cause.

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2. Avoiding allocation of blame.
3. Helping school and law enforcement officials gather the facts.
4. Sticking to the facts during discussions.
5. Deferring all media requests to the spokesperson.
6. Comforting and supporting each other.

J. Required Notices

A school staff member shall immediately notify the Building Principal when he or she:

1. Observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision. 105 ILCS 5/10-27.1A(a).
2. Observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident. 105 ILCS 5/10-27.1B.
3. Observes a battery committed against any staff member or is subject to a battery. 105 ILCS 5/10-21.7, amended by P.A. 102-894.

Upon receiving a report of No. 1, above, the Building Principal or designee shall immediately notify local law enforcement. 105 ILCS 5/10-27.1A(b), 5/10-27.1B, and 5/10-21.7. In addition, upon receiving a report on any of the above Nos. 1-3, the Building Principal or designee must notify the Superintendent or designee and any involved student's parent/guardian.[5] See the **Required Notices** subhead of Board policy 7:190, *Student Behavior*, and exhibit 3:60-E, *Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security*.

Upon receiving a report of any of the above Nos. 1-3, the Superintendent or designee shall immediately notify local law enforcement. 105 ILCS 5/10-27.1A, amended by P.A.s 103-34, 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling); 105 ILCS 5/10-27.1B, amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling); and 105 ILCS 5/10-21.7. The Superintendent or designee will also report these incidents to ISBE through its web-based School Incident Reporting System (SIRS) as they occur during the year but no later than July 31 for the preceding school year. Id.[6] SIRS is available at www.isbe.net/Pages/School-Incident-Reporting-System.aspx or by going to ISBE's home page and accessing the District's Web Application Security (IWAS) account. Reporting on SIRS does not satisfy the requirement to report incidents to local law enforcement authorities.

K. Resources

Guide for Developing High-Quality School Emergency Operations Plans: At a Glance
www.rems.ed.gov/K12GuideForDevelHQSchool.aspx

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[5] The building principal must notify the student's parent/guardian only when the alleged offense is firearm possession. 105 ILCS 5/10-27.1A(b). The **Required Notices** subhead of sample policy 7:190, *Student Behavior*, and section **J. Required Notices** of this sample administrative procedure expand this notification duty to include drug-related incidents and battery of a staff member. See f/n 56 in sample policy 7:190, *Student Behavior* and f/n 1, above. If your board has not expanded this notification duty in policy 7:190, *Student Behavior*, amend the second sentence as follows:

> In addition, upon receiving a report on any of the above Nos. 1-3, the Building Principal or designee must notify the Superintendent or designee and, if a student is reportedly in possession of a firearm, also any involved student's parent/guardian.

[6] 105 ILCS 5/10-27.1 requires reporting through SIRS no later than August 1, while 105 ILCS 5/10-27.1A and 5/10-27.1B both require reporting through SIRS no later than July 31. 105 ILCS 5/10-27.1; 105 ILCS 5/10-27.1A and 5/10-27.1B, both amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling). Since reporting no later than July 31 meets all three reporting requirements, this sample administrative procedure states that all reporting will occur no later than July 31.

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Guide for Developing High-Quality School Emergency Operations Plans www.rems.ed.gov/docs/REMS_K-12_Guide_508.pdf

The Role of Districts in Developing High-Quality School Emergency Operations Plans: A Companion to the School Guide https://rems.ed.gov/docs/District_Guide_508C.pdf

Readiness and Emergency Management for Schools (REMS) Technical Assistance (TA) Center Tool Box www.rems.ed.gov/toolbox.aspx

ALICE (Alert, Lockdown, Inform, Counter, Evacuate) Training Institute www.alicetraining.com

ISBE/OSFM All Hazard Preparedness Guide for Illinois Schools www.isbe.net/Pages/School-Emergency-and-Crisis-Response-Plan-Guide.aspx

Illinois Emergency Management Agency (IEMA) www2.illinois.gov/ready/Pages/default.aspx

Schools/Campus – Resources, including School Safety Information Sharing https://ready.illinois.gov/plan/schools.html

Safe2Help Illinois, designed to offer students a safe, confidential way in which to share information that might help prevent suicides, bullying, school violence, or other threats to school safety, www.safe2helpil.com/

Illinois Terrorism Task Force (ITTF) https://ready.illinois.gov/hazards/terrorism.html

National Association of School Psychologists (NASP) - Recommendations for Comprehensive School Safety and Crisis Policies www.nasponline.org/resources-and-publications/resources-and-podcasts/school-safety-and-crisis

U.S. Secret Service (USSS) National Threat Assessment Center (NTAC) www.secretservice.gov/protection/ntac

Improving School Safety Through Bystander Reporting: A Toolkit for Strengthening K-12 Reporting Programs, developed by the USSS NTAC and the Cybersecurity and Infrastructure Security Agency (CISA) www.secretservice.gov/sites/default/files/reports/2023-05/cisa-usss-k-12-bystander-reporting-toolkit-508_final_0.pdf

Bomb Threat Response Planning Tool, developed by the U.S. Dept. of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives and the U.S. Dept. of Education's Office of Safe and Drug Free Schools www.ojp.gov/ncjrs/virtual-library/abstracts/bomb-threat-response-interactive-planning-tool-schools-cd-rom

School Crisis Guide - Help and Healing in a Time of Crisis, published by NEA Health Information Network www.nea.org/resource-library/neas-school-crisis-guide

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Attachment A

School Emergency Operations and Crisis Response Plan Format

Basic Plan

1. Introductory Material
   1.1 Promulgation Document and Signatures
   1.2 Approval and Implementation
   1.3 Record of Changes
   1.4 Record of Distribution
   1.5 Table of Contents
2. Purpose, Scope, Situation Overview, and Assumptions
   2.1 Purpose
   2.2 Scope
   2.3 Situation Overview
   2.4 Planning Assumptions
3. Concept of Operations
4. Organization and Assignment of Responsibilities
5. Direction, Control, and Coordination
6. Information Collection, Analysis, and Dissemination
7. Training and Exercises
8. Administration, Finance, and Logistics
9. Plan Development and Maintenance
10. Authorities and References

Functional Annexes

Note: This is not a complete list, but it is recommended that all SEOCRPs include at least the following functional annexes:

1. Communications
2. Evacuation
3. Shelter-in-Place
4. Lockdown
5. Accounting for All Persons
6. Reunification
7. Continuity of Operations (COOP)
8. Security
9. Recovery
10. Health and Medical

Threat- or Hazard-Specific Annexes

Note: This is not a complete list. Each school's annexes will vary based on its hazard analysis.

1. Hurricane or Severe Storm
5. Mass Casualty Incident

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2. Earthquake
3. Tornado
4. Hazardous Materials Incident
6. Active Shooter
7. Pandemic or Disease Outbreak

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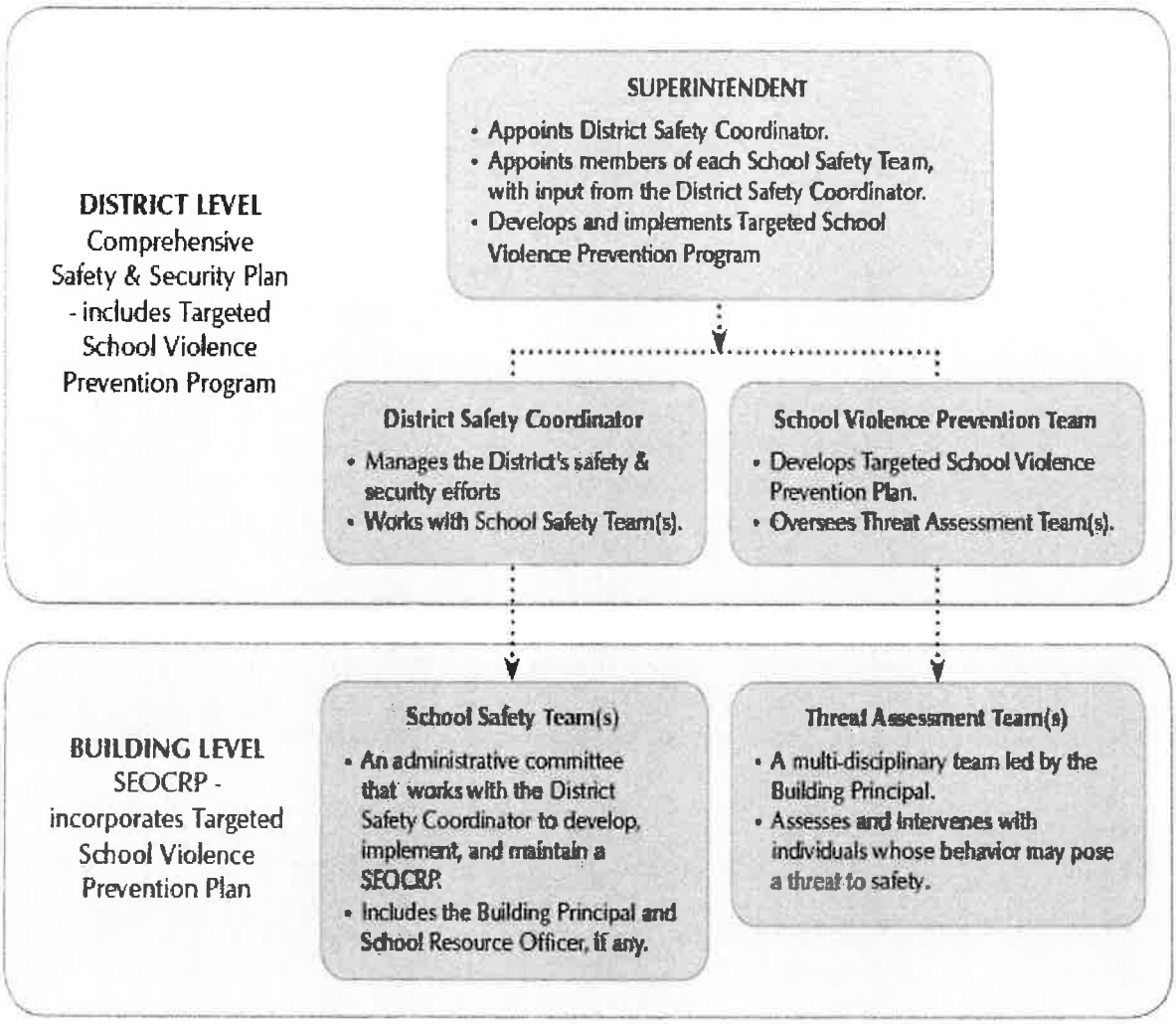
Attachment B

Alignment of Comprehensive Safety and Security Plan with Targeted School Violence Prevention Program



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Operational Services

Targeted School Violence Prevention Program [174]

Threats and acts of targeted school violence harm the District's environment and school community, diminishing students' ability to learn and a school's ability to educate. Providing students and staff with access to a safe and secure District environment is an important Board goal. While it is not possible for the District to completely eliminate threats in its environment, a Targeted School Violence Prevention Program (Program) using the collective efforts of local school officials, staff, students, families, and the community helps the District reduce these risks to its environment.

The Superintendent or designee shall develop and implement the Program.[175] The Program oversees the maintenance of a District environment that is conducive to learning and working by identifying, assessing, classifying, responding to, and managing threats and acts of targeted school violence. The Program shall be part of the District's Comprehensive Safety and Security Plan, required by Board policy 4:170, *Safety*, and shall:

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[174] While this sample policy is optional, 105 ILCS 128/45, amended by P.A.s 102-791, 103-175, and 103-780, requires school districts to have implemented a threat assessment *procedure* by 12-21-19 that may be part of a school board targeted school violence prevention policy. Thus, regardless of whether the board adopts a policy, an administrative procedure must exist to comply with the law. See the first sentence in f/n 2 below. It contains items from *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Fifth Edition (July 2023), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/k-12_threat_assessment_management_mppg-dec2022_mpd.pdf. *Threat Assessment in Virginia Public Schools* is based upon a synthesis of established research and recognized standards of practice regarding threat assessment and management in school and workplace settings, including *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*, a 2004 publication of the U.S. Secret Service and the U.S. Dept. of Education, at: https://www.ojp.gov/ncjrs/virtual-library/abstracts/threat-assessment-schools-guide-managing-threatening-situations-0. The July 2018 update of this document was renamed *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, published by the U.S. Secret Service, at: www.secretservice.gov/sites/default/files/reports/2020-10/USSS_NTAC_Enhancing_School_Safety_Guide.pdf. See also *Averting Targeted School Violence*, a 2021 publication of the U.S. Dept. of Homeland Security and the U.S. Secret Service, at: www.secretservice.gov/sites/default/files/reports/2021-03/USSS%20Averting%20Targeted%20School%20Violence.2021.03.pdf.

Adopting a policy that addresses targeted school violence prevention provides (a) a way for boards to monitor that it is being done, and (b) an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Before adoption of this policy, each board may want to have a conversation with the superintendent to determine how local conditions and resources and current practices will support the full implementation of the requirements of 105 ILCS 128/45, amended by P.A.s 102-791, 103-175, and 103-780. Its goals and program will be most effective when they reflect local conditions and circumstances.

[175] To balance the requirement to implement a threat assessment procedure (105 ILCS 128/45, amended by P.A.s 102-791, 103-175, and 103-780) with the practicalities of managing a district and to align with the best practices outlined in IASB's *Foundational Principles of Effective Governance* (www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/), this sentence delegates the duty to implement a procedure to the superintendent. See sample administrative procedure 4:190-AP1, *Targeted School Violence Prevention Program*, for a sample implementation procedure. Ensuring school safety begins with establishing a comprehensive targeted school violence prevention program, which "includes forming a multidisciplinary threat assessment team, establishing central reporting mechanisms, identifying behaviors of concern, defining the threshold for law enforcement intervention, identifying risk management strategies, promoting safe school climates, and providing training to stakeholders." *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, published by the U.S. Secret Service, at: www.secretservice.gov/sites/default/files/reports/2020-10/USSS_NTAC_Enhancing_School_Safety_Guide.pdf.

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3. Establish a District-level School Violence Prevention Team to: (a) develop a District-level Targeted School Violence Prevention Plan, and (b) oversee the District's Building-level Threat Assessment Team(s). [176]
4. Establish Building-level Threat Assessment Team(s)[177] to assess and intervene with individuals whose behavior may pose a threat to safety. This team may serve one or more schools.
5. Require all District staff, volunteers, and contractors to report any expressed threats or behaviors that may represent a threat to the community, school, or self. [178]
6. Encourage parents/guardians and students to report any expressed threats or behaviors that may represent a threat to the community, school, or self. [179]
7. Comply with State and federal law and align with Board policies.

The Local Governmental and Governmental Employees Tort Immunity Act protects the District from liability. The Program does not: (1) replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in violence prevention, assessments and counseling services, (2) extend beyond available resources within the District, (3) extend beyond the school day and/or school-sponsored events, or (4) guarantee or ensure the safety of students, District staff, or visitors. [180]

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[176] The establishment of threat assessment teams in K-12 public schools is Recommendation #1 of the *Recommendations of the Illinois Terrorism Task Force School Safety Working Group*, presented to the Office of the Governor on 4-5-18, at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/school-safety-and-security/. Illinois higher education institutions have required threat assessment teams since the passage of the Campus Security Enhancement Act of 2008 (110 ILCS 12/20(b)(2), eff. 1-1-09) in response to the shootings that took place at Virginia Polytechnic Institute and State University on 4-16-07 and Northern Illinois University on 2-14-08. See f/n 4, below.

[177] 105 ILCS 128/45, amended by P.A.s 102-791, 103-175, and 103-780, requires school districts to have established a threat assessment team by 2-19-20. If a school district is unable to establish a threat assessment team with school district staff and resources, it may use a regional behavioral threat assessment and intervention team. Id. The district's threat assessment procedure and a list identifying the members of all district threat assessment teams must be filed with a local law enforcement agency and the regional office of education or appropriate intermediate service center before the start of each school year. 105 ILCS 128/45(b), amended by P.A.s 102-791 and 103-175. See sample administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*, and its accompanying exhibits for further information on threat assessment teams and how to connect with a regional behavioral threat assessment team. Records concerning the work of the TAT, including but not limited to any threat assessment procedure, are exempt from disclosure under the Ill. Freedom of Information Act. 5 ILCS 140/7(ll), added by P.A. 102-791.

[178] In alignment with this policy, sample administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*, requires the TAT to train staff and other members of the school community to recognize and report possible threats, and sample exhibit 4:190-AP2, E6, *Targeted School Violence Prevention and Threat Assessment Education*, requires all district staff, volunteers, and contractors to report any expressed threats or behaviors that may represent a threat to the community, school, or self.

[179] In alignment with this policy, sample administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*, requires the TAT to train parents/guardians and other members of the school community to recognize and report possible threats, and sample exhibit 4:190-AP2, E6, *Targeted School Violence Prevention and Threat Assessment Education*, encourages parents/guardians and students to report any expressed threats or behaviors that may represent a threat to the community, school, or self.

[180] **Consult the board attorney for guidance concerning liability in this area.** Except for cases of willful and wanton conduct, the Local Governmental and Governmental Employees Tort Immunity Act (TIA) likely protects districts from liability for failure to properly identify and/or respond to a student's behavior that results in injury or suicide. See 745 ILCS 10/3-108 and Grant v. Board of Trustees of Valley View School Dist. No. 365-U, 286 Ill.App.3d 642 (3rd Dist. 1997). Every situation is fact-specific, and the issues require careful evaluation. A disclaimer, such as the one presented here, may not be sufficient. A district may take several actions, after discussion with its board attorney, to minimize liability, such as adding limiting phrases and ensuring other policies are followed.

In addition to the TIA, school officials and districts may also be entitled to qualified immunity in civil rights lawsuits that seek to hold them liable for a suicide. For further discussion, see f/n 14 in sample policy 7:290, *Suicide and Depression Awareness and Prevention*.

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LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-21.7, 5/10-27.1A, 5/10-27.1B, 5/24-24, and 5/27-23.7.
105 ILCS 128/, School Safety Drill Act.
745 ILCS 10/, Local Governmental and Governmental Employees Tort Immunity Act.
29 Ill.Admin.Code Part 1500.

CROSS REF.: 2:240 (Board Policy Development), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention), 7:340 (Student Records), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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Group 2

Operational Services

Administrative Procedure - Threat Assessment Team (TAT) [7]

This procedure implements Threat Assessment Teams (TATs). TAT members are professional educators, mental health professionals, law enforcement professionals, and professionals from other disciplines as necessary who are trained in behavioral threat assessment. 105 ILCS 128/45(a).

TATs function at the Building level, taking direction from the District-level School Violence Prevention Team. They identify, inquire, assess, and manage a range of threats that may be posed to the school community.

Threats may be posed from a broad range of individuals affecting the District environment, including: [8]

- Students: current and former (and potentially prospective)
- Employees: current and former (and potentially prospective)
- Parents/guardians or other family members of students
- Persons who are (or have been) in relationships with staff or students
- Contractors, vendors, or other visitors
- Persons unaffiliated with the District

Customize this procedure to each TAT's building-specific needs, and use it in conjunction with administrative procedure 4:190-AP1, *Targeted School Violence Prevention Program*, and exhibits 4:190-AP2, E1, *Principles of Threat Assessment*; 4:190-AP2, E2, *Threat Assessment Documentation*; 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*; 4:190-AP2, E4, *Responding to Types of Threats*; and 4:190-AP2, E5, *Threat Assessment Case Management Strategies*. This procedure contains five sections as follows:

1. Glossary of Terms
2. TAT Formation, Development, and Responsibilities
3. Assessing and Classifying Threats
4. Responding to and Managing Threats
5. Reporting Threats to Outside Agencies

Glossary of Terms

Pose a Threat – To pose a threat means an individual has, or is in the process of obtaining, the intent and capability to cause harm to self or others through planning and preparation.

Protective Factors – Characteristics or resources that make it less likely that an individual will engage in violence.

Risk Factors – Characteristics that make it more likely that an individual may engage in violence. Risk factors are usually stable over time.

Subject of Concern (Subject) – An individual who has been identified to pose a threat of violence or serious harm to self/others.

Target – An individual who is the intended target of the threat posed by the subject of concern.

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[7] Required by 105 ILCS 128/45, amended by P.A.s 102-791, 103-175, and 103-780. School districts had to implement a threat assessment procedure by 12-21-19 and establish a threat assessment team by 2-19-20. Id.

Adapted from *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Fifth Edition (July 2023), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/k-12_threat_assessment_management_mppg_mpd.pdf.

[8] See *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, p. 2.

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Threat – A concerning communication or behavior that indicates that an individual may pose a danger to the safety of school staff or students through acts of violence or other behavior that could cause harm to self or others. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means; it is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party, and regardless of whether the target of the threat is aware of the threat.

Threat Assessment – A systemic, fact-based process emphasizing an appraisal of observed (or reasonably observable) behaviors to identify potentially disruptive, dangerous, or violent situations, to assess them, and to manage/address them.

Threat Assessment Team (TAT) – A multidisciplinary Building-level team led by the Building Principal to perform specific threat assessments that must include at least one law enforcement official as well as cross-disciplinary representatives of the District who are most directly familiar with the mental and behavioral health needs of students and staff. Such cross-disciplinary representatives may include the following individuals employed by the District or a special education cooperative that serves the District and who are available to serve: an administrator, a teacher, a school counselor, a school psychologist, and a school social worker.[9]

TAT Triage Team – Consists of at least two members of the TAT designated by the Building Principal to triage reported cases of concerning, aberrant, or threatening behavior and/or communication. Considers the nature and level of concern of cases to determine if existing resources and mechanisms are sufficient to address concerns, or whether the full TAT should further assess and manage the situation, and initiates any crisis responses as appropriate.

Types of Threats –

Routine/No Known Concern: Subject/situation does not indicate a threat of violence or harm to self or others, or need for assistance or intervention. No impact on others, environmental factors, or precipitants that need TAT intervention. Close the case.

Low Level: Subject/situation does not indicate a threat of violence or harm to self or others; would or may benefit from intervention or assistance with concerns. Target, environmental/systemic, or precipitating events may be present at low levels. May involve some ongoing assessment management with passive monitoring and/or periodic active monitoring, and referrals as appropriate. Close the case if no team interventions or monitoring are indicated.

Moderate Level: Subject/situation does not pose a threat of serious violence or harm though risk cannot be ruled-out. Subject may be developing the capability for harm and is engaging in aberrant or concerning behaviors that indicate a need for assistance/intervention. Targets/others are likely concerned and impacted. Environmental/systemic or precipitating factors may be present. Consider law enforcement/security notification as appropriate. Requires ongoing assessment and management plan, active monitoring, and referrals as appropriate.

High Level: Subject/situation poses, or is rapidly developing the capability for, a threat of serious violence or harm to self or others; or is in urgent need of hospitalization or treatment. Targets/others are impacted. Typically involves environmental/systemic factors and consideration for precipitating events. Requires immediate notification of school administration and law enforcement, subject containment, target protection and safety plan, activation of crisis response protocols as appropriate, ongoing assessment and management plan, active monitoring, and referrals as appropriate.

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[9] 105 ILCS 128/45(a), amended by P.A. 103-780. Districts that are unable to establish a threat assessment team with school district staff and resources may use a regional behavioral threat assessment and intervention team that includes mental health professionals, a representative from the Ill. Law Enforcement Alarm System, a safety education officer from the Ill. State Police, and local law enforcement representatives. Id.

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Imminent: Subject/situation poses an imminent threat of serious violence or harm to self/others and has or may reasonably have significant impact on others. Requires immediate law enforcement and school administration notification, subject containment, target protection and safety planning, implementation of crisis response and notification protocols, ongoing assessment and management plan, and active monitoring.

Warning Signs – Characteristics or behaviors that are associated with a current or escalating risk of violence. These tend to be dynamic, acute, and often associated with new stresses, events, losses, or failures.

TAT Formation, Development, and Responsibilities

Following are tasks to integrate TATs into the District's Targeted School Violence Prevention Plan.

Actor	Action
Superintendent or designee	Ensures TATs are trained in threat assessment by a threat assessment expert.[10] Free statewide training is available through the Ill. School and Campus Safety Program, at: https://ready.illinois.gov/plan/schools.html. Prior to the start of each school year, files this procedure and a list identifying the members of all TATs with: (1) a local law enforcement agency, and (2) the Regional Office of Education or Intermediate Service Center, as applicable. 105 ILCS 128/45(b), amended by P.A.s 102-791 and 103-175. Informs the Board that this filing was completed.
Building Principal	Leads TAT. Selects TAT members, including at least one law enforcement official as well as cross-disciplinary representatives of the District who are most directly familiar with the mental and behavioral health needs of students and staff. Such cross-disciplinary representatives may include the following individuals employed by the District or a special education cooperative that serves the District and who are available to serve: An administrator; A teacher; A school counselor; A school psychologist; A school social worker; and Other District employees and/or community resource persons (as members or consultants as determined by the TAT). When resources allow, selects designated back-up for each core TAT member, from the same or similar areas of expertise, to fulfill their duties in the event of their absence or inability. Designates a TAT Triage Team.

[10] Many threat assessment publications outline that the best practice is for the entire TAT, as a team, to attend in-person threat assessment training by a threat assessment expert.

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Actor	Action
	Ensures that any reporting mechanisms used by the school community are kept up to date, work consistently, and are checked on a regular and timely basis. Establishes an intake and triage process for reports regarding concerning, aberrant, or threatening behavior and/or communication. When a report is received, activates the TAT and uses this administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*.
TAT	Receives education and seeks training resources, including but not limited to exhibits 4:190-AP2, E1, *Principles of Threat Assessment;* 4:190-AP2, E2, *Threat Assessment Documentation*; 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*; 4:190-AP2, E4, *Responding to Types of Threats*; and 4:190-AP2, E5, *Threat Assessment Case Management Strategies*. Receives initial and periodic refresher threat assessment training by a threat assessment expert. Commits to work collaboratively with each other, with other school staff, and (as appropriate) with community resources to support the purposes of the TAT and the safety of the school, its students, and its staff. Actively, lawfully, and ethically communicates with each other, District administrators, and other school staff who have a need to know particular information to support the safety of the school, its students, and its staff. Trains staff, students, parents/guardians, and other members of the school community to recognize and report possible threats by conducting presentations, broadly disseminating relevant information, and ensuring access to consultation from the TAT. Identifies and trains members of the school community who can take reports of possible threats. Effectively implements Board policy 4:190, *Targeted School Violence Prevention Program*.

Assessing and Classifying Threats

When a threat is reported, the Building Principal and TAT assess and classify the threat using the criteria and process outlined below.

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Actor	Action
Building Principal and/or TAT Triage Team	When a potential threat report is received, initiates the following intake and triage process. Intake Obtains basic information about the potential threat, including but not limited to: Initial Report of Concern: Date/time reported, date/time reviewed, person receiving report. Reporting Party: Name, affiliation, contact information, relationship to subject of concern. Incident/Nature of Concern: Date/time occurred, location, nature of threat/concern, weapons involved/threatened, details about concerns, and any relevant background information. Subject of Concern: Name, affiliation, contact information, relationship to reporting party or target(s). Identified/Identifiable Target(s): Name, affiliation, contact information, relationship to report party or subject. Determines if an imminent threat exists. An imminent threat is indicated by such factors as: 1. Subject intends imminent and/or serious harm to self/others; or 4. Subject lacks inhibitions for using violence. If an imminent threat exists, initiates School Emergency Operations and Crisis Response Plan (SEOCRP) and notifies law enforcement in accordance with administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan,* Part G, School Emergency Operations and Crisis Response Plan (SEOCRP). If no imminent threat exists, or once an imminent threat is contained, proceeds to triage. Triage Triages threat to determine if the full TAT must be involved. Triage may include, as necessary and appropriate: Reviewing the reported concerning, aberrant, or threatening behavior and/or communication. Reviewing school and other records for any prior history or interventions with the individual(s) involved. Conducting timely and thorough interviews of the person(s) who reported the threat, the recipient(s) or target(s) of the threat, other witnesses who have knowledge of the threat, and where reasonable, the individual(s) who allegedly engaged in the threatening behavior or communication. The purpose of the interviews is to gain a holistic understanding of the situation, determine the nature and level of the concerns, identify areas where more information may

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Actor	Action
	be needed, and inform appropriate strategies or interventions to address any concerns identified. Determines if the full TAT must be involved. To determine that the full TAT does not need to be involved, all TAT Triage Team members must concur that there is no identifiable threat/concern, or that there is a low level of concern regarding issues that are being adequately addressed. If the full TAT must be involved, convenes it as soon as possible. Documents intake and triage using exhibit 4:190-AP2, E2, *Threat Assessment Documentation*.

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Actor	Action
TAT	Conducts a comprehensive and holistic assessment of the threat using the STEP framework set forth in exhibit 4:190-AP2, E1, *Principles of Threat Assessment*. See exhibit 4:190-AP2, E3, *Threat Assessment Key Areas and Questions; Examples*, for key questions to ask the person(s) who reported the threat, the threat recipient(s)/target(s), other witnesses, and the subject to assess the threat. Once the assessment is complete, classifies the threat as one of the following: Routine/No Known Concern, Low Level, Moderate Level, High Level, or Imminent. Documents the threat assessment and classification using exhibit 4:190-AP2, E2, *Threat Assessment Documentation*, and ensures that TAT documentation follows the acronym FORT: [11] **F** **Fair** – sought to understand situations and give individuals an opportunity to be heard and understood; **O** **Objective** – sought information based on facts and observations of the case and not speculation or bias; **R** **Reasonable** – engaged in responses that were effective and proportionate to the situation; and **T** **Timely** – quickly and responsively addressed reports of threatening behavior.
Building Principal	Where the TAT classifies the threat as a Moderate, High, or Imminent level of concern and the threat requires further intervention to prevent violence or serious harm, notifies: 1. The parent(s)/guardian(s) of any student who is the target/recipient of a threat; and 5. The parent(s)/guardian(s) of any student who engaged in threatening behaviors.

Responding to and Managing Threats

Actor	Action
TAT	Identifies appropriate responses to the threat based upon its level. See exhibit 4:190-AP2, E4, *Responding to Types of Threats*, for examples of responses to each threat level. Develops, implements, and monitors an individualized, fact-based case management plan to intervene with, address, and reduce the threat by: Designating a TAT member as case manager to monitor the status of the subject and to notify the TAT of any change in status, response to interventions/referrals, or additional information that

[11] *Source: © G. Deisinger (1996).*

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Actor	Action
	would be cause for reassessment and/or changes in interventions strategies; Assisting the subject, and any impacted staff or students, in accessing appropriate school and community-based resources for support and/or further intervention; Appointing one or more TAT members to engage directly with the subject to prevent the subject from becoming isolated; and Using the least intrusive interventions and strategies that are sufficient, fair, and reasonable to address the concerns identified. See exhibit 4:190-AP2, E5, *Threat Assessment Case Management Strategies*, for interventions and strategies, including those that are subject-based, target-based, and environmental/systems-based. Documents this process and any case updates using exhibit 4:190-AP2, E2, *Threat Assessment Documentation*. Submits updates to the Building Principal regularly, e.g., at least every 30 days, until the case is resolved and the subject no longer poses a threat to the school, its students, or its staff. Maintains documentation in accordance with Board policy, State records laws, and administrative procedures.

Reporting Threats to Outside Agencies

The following is the process to notify the Local Law Enforcement Agency (LLEA) and/or the Ill. State Police (ISP) about certain types of threats. See also administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan, Part J, Required Notices*.

Actor	Action
Superintendent or designee	Immediately notifies the LLEA upon receiving a report from any school personnel regarding a verified incident involving: Batteries committed against teachers, teacher personnel, administrative personnel, or educational support personnel. 105 ILCS 5/10-21.7, amended by P.A. 102-894. A firearm in a school or on school-owned or leased property. 105 ILCS 5/10-27.1A(c), amended by P.A.s 103-34, 103-609, and 103-780. Drugs in a school or on school-owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel. 105 ILCS 5/10-27.1B(b), amended by P.A.s 103-609 and 103-780; 105 ILCS 127/). Reports all of the above incidents to ISBE through its web-based School Incident Reporting System (SIRS) as they occur during the year but no later than July 31 for the preceding school year.[12] 105 ILCS 5/10-27.1A, amended by P.A.s 103-34, 103-609 (first to pass both houses), and 103-

[12] See f/n 6 in sample administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*.

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Actor	Action
	780 (second to pass both houses and controlling); 105 ILCS 5/10-27.1B, amended by P.A.s 103-609 (first to pass both houses) and 103-780 (second to pass both houses and controlling); and 105 ILCS 5/10-21.7.
Building Principal	Reports to the LLEA threats to the safety and welfare of students and teachers by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity. 105 ILCS 5/10-21.4a. Reports other threats to the LLEA as necessary and appropriate. Immediately notifies the LLEA upon receiving a report that any person has been observed in possession of a firearm on school grounds (other than a law enforcement official engaged in the conduct of his or her official duties). If the person found to be in possession of a firearm on school grounds is a student, the Building Principal or designee shall also immediately notify the student's parent/guardian. 105 ILCS 5/10-21.7A(b). Reports directly to the ISP within 24 hours of a determination that a student or other person poses a clear and present danger to himself, herself, or others. 430 ILCS 66/105 and 405 ILCS 5/6-103.3; 20 Ill.Admin.Code §1230.120(b). See exhibit 3:60-E, *Event Reporting and Notice Requirements for Building Principals Concerning School Safety and Security*, for further information.

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General Personnel

Equal Employment Opportunity and Minority Recruitment [181]

[181] Federal and State law (see the policy's Legal References) require that all districts have a policy on equal employment opportunities and control this policy's content. **This is a complex, confusing, and highly litigated area of the law; consult the board attorney for advice on the application of these laws to specific situations.**

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The School District shall provide equal employment opportunities[182] to all persons regardless of their race;[183] color; creed; religion;[184] national origin; sex;[185] sexual orientation;[186] age;[187] ancestry; marital status;[188]

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[182] *Equal employment opportunities* apply to virtually all terms and conditions of employment, e.g., discharge, hire, promotion, pay, demotion, and benefits (see the policy's Legal References). The Ill. Constitution protects the following categories from discrimination in employment: race, color, creed, national ancestry, sex, and handicap. Art. I, §§17, 18, and 19. The Ill. Human Rights Act (IHRA) protects the following categories from discrimination in employment, whether *actual* or *perceived*: race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, order of protection status, sexual orientation, pregnancy, reproductive health decisions, unfavorable discharge from military service, arrest record, conviction record (unless authorized by law), citizenship status, work authorization status. 775 ILCS 5/1-102(A), amended by P.A.s 102-233, and 103-785, eff. 1-1-25; 5/1-103, amended by P.A.s 102-419, and 102-1102 and 103-785, eff. 1-1-25; and 775 ILCS 5/2-103.1. The IHRA also prohibits employers from using artificial intelligence (AI) in a manner that subjects employees to unlawful discrimination, and it requires employers to provide notice to employees when it uses AI with respect to recruitment, hiring, promotion, renewal of employment, selection for training, discharge, discipline, tenure, or the terms, privileges, or conditions of employment. 775 ILCS 5/2-102(L), added by P.A. 103-804, eff. 1-1-26. For resources on the use of AI in employment decisions, see www.eeoc.gov/ai.

The IHRA requires employers to annually disclose to the Ill. Dept. of Human Rights (IDHR) certain information about adverse judgments and administrative rulings where there was a finding of sexual harassment or unlawful discrimination under any federal, State, or local law, as well as data regarding settlement agreements, if requested by an IDHR investigator. 775 ILCS 5/2-108 (scheduled to be repealed on 1-1-30).

Title VII of the Civil Rights Act of 1964 prohibits discrimination because of an individual's race, color, religion, sex, or national origin. 42 U.S.C. §2000e et seq., amended by The Lilly Ledbetter Fair Pay Act of 2009 (LLFPA), Pub.L. 111-2.

Under the Workplace Transparency Act (WTA) (820 ILCS 96/), employers may not, as a condition of employment or continued employment, prevent prospective or current employees from making truthful statements or disclosures about alleged unlawful employment practices, including discrimination. Id. at 96/1-25.

The LLFPA clarifies that a discriminatory compensation decision or other practice occurs each time an employee is paid or receives a last benefits check pursuant to the discriminatory compensation decision as opposed to only from the time when the discriminatory compensation decision or other practice occurred. The Act has no legislative history available to define what the phrase *or other practice* might mean beyond a discriminatory compensation decision; however, in a guidance document, the U.S. Equal Employment Opportunity Commission (EEOC) states that practices "may include employer decisions about base pay or wages, job classifications, career ladder or other noncompetitive promotion denials, tenure denials, and failure to respond to requests for raises." See *Equal Pay Act of 1963 and Lilly Ledbetter Fair Pay Act of 2009* (2014), at: www.eeoc.gov/laws/guidance/equal-pay-act-1963-and-lilly-ledbetter-fair-pay-act-2009.

The Ill. Equal Pay Act of 2003 (EPA) offers additional protection by prohibiting the payment of wages to one sex less than the opposite sex or to an African-American less than a non-African-American *for the same or substantially similar work*. 820 ILCS 112/. The Ill. Dept. of Labor (IDOL) enforces the EPA. The EPA also prohibits employers from requesting or requiring applicants to disclose wage or salary history as a condition of being considered for employment or as a condition of employment. Id. at 112/10(b-5). If an applicant voluntarily offers such information without prompting, an employer still cannot use that information in making an offer or determining future pay. See sample administrative procedure 5:30-AP1, *Interview Questions*, for sample permissible inquiries on this topic. Employers may seek wage or salary history from an applicant's current or former employer if that information is a matter of public record under the Freedom of Information Act (FOIA); however, districts that wish to undertake such searches should exercise caution; the fact a district seeks out publicly available wage information could still be used against it in a pay discrimination claim. Id. at 112/10(b-10). Consult the board attorney for further guidance.

While not exhaustive, other laws protecting these and additional classifications are named in subsequent footnotes.

[183] The IHRA defines race to include traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists. 775 ILCS 5/1-103(M-5), added by P.A. 102-1102. The law allows employers to implement dress codes or adopt grooming policies that include restrictions on attire, clothing, or facial hair to maintain workplace safety or food sanitation. 775 ILCS 5/2-102(E-5). Title VII does not have a definition of race, but EEOC guidance provides that "[r]ace discrimination includes discrimination on the basis of ancestry or physical or cultural characteristics associated with a certain race, such as skin color, hair texture or styles, or certain facial features." See the EEOC's *Questions and Answers about Race and Color Discrimination in Employment*, at: www.eeoc.gov/laws/guidance/questions-and-answers-about-race-and-color-discrimination-employment.

[184] 775 ILCS 5/2-102 of the IHRA, amended by P.A. 102-233, contains a *religious discrimination* subsection. It expressly prohibits employers from requiring a person to violate a sincerely held religious belief to obtain or retain employment unless, after engaging in a bona fide effort, the employer demonstrates that it is unable to reasonably accommodate the employee's or prospective employee's sincerely held religious belief, practice, or observance without undue hardship on the conduct of the employer's business. Religious beliefs include, but are not limited to: the wearing of any attire, clothing, or facial hair in accordance with the requirements of his/her religion. 775 ILCS 5/2-102(E-5). Employers may, however, enact a dress code or grooming policy that restricts attire, clothing, or facial hair to maintain workplace safety or food sanitation. Id.

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arrest record;[189] military status; order of protection status;[190] unfavorable military discharge;[191] citizenship status provided the individual is authorized to work in the United States;[192] work authorization status;[193] use of lawful products while not at work;[194] being a victim of domestic violence, sexual violence, gender violence,

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Regarding accommodation of an employee's religious practice under EEOA, the U.S. Supreme Court held in the case Groff v. DeJoy, 600 U.S. 447 (2023), that *undue hardship* means a burden that is "substantial in the overall context of an employer's business", rather than a mere *de minimis* standard. Id. at 468. In addition to the IHRA and Title VII (also discussed in f/n 2), see 775 ILCS 35/, Religious Freedom Restoration Act.

[185] Discrimination on the basis of sex under Title VII includes discrimination on the basis of sexual orientation or transgender status. Bostock v. Clayton Cnty., 140 S.Ct. 1731 (2020); Hively v. Ivy Tech, 853 F.3d 339 (7th Cir. 2017). In addition to the IHRA and Title VII (discussed in f/n 2), see Title IX of the Education Amendments of 1972 (Title IX). 20 U.S.C. §1681 et seq.; 34 C.F.R. Part 106. See sample policy 2:265, *Title IX Grievance Procedure*. The federal Equal Pay Act prohibits an employer from paying persons of one sex less than the wage paid to persons of the opposite sex for equal work. 29 U.S.C. §206(d). See f/n 2 above for more information on State equal pay protections, including on the basis of sex. The LLFPA defines *date of underpayment* as each time wages are underpaid. Employees have one year from the time they become aware of the underpayment to file a complaint with the IDOL. 820 ILCS 112/15(b).

[186] *Sexual orientation* means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity; it does not include a physical or sexual attraction to a minor by an adult. 775 ILCS 5/1-103(O-1).

[187] Age Discrimination in Employment Act (ADEA) (29 U.S.C. §621 et seq.), amended by LLFPA (see f/n 2). 29 C.F.R. Part 1625, amended the EEOC regulations under ADEA to reflect the U.S. Supreme Court's decision in General Dynamic Systems, Inc. v. Cline, 540 U.S. 581 (2004), holding the ADEA permits employers to favor older workers because of age. Thus, favoring an older person over a younger person is not unlawful discrimination, even when the younger person is at least 40 years old.

[188] 105 ILCS 5/10-22.4 and 775 ILCS 5/1-103(Q). The term *marital status* means an individual's legal status of being married, single, separated, divorced, or widowed. 775 ILCS 5/1-103(J). This statutory definition does not encompass the identity of one's spouse. Thus, school districts may adopt no-spouse policies. Boaden v. Dept. of Law Enforcement, 171 Ill.2d 230 (Ill. 1996).

[189] Districts may not make employment decisions on the basis of arrest history, but may use job-disqualifying criminal convictions provided specific conditions are met. 775 ILCS 5/2-103 and 5/2-103.1. See f/n 21, below. The Job Opportunities for Qualified Applicants Act, 820 ILCS 75/15, prohibits an employer from asking about a criminal record until the employer determines that the applicant is qualified for the position; however, this does not apply when employers are required to exclude applicants with certain criminal convictions from employment. School employers should limit their requests for criminal convictions to *job-disqualifying* convictions, as permitted by the IHRA. 775 ILCS 5/2-103.1. See also the IDHR's guidance, *Conviction Record Protection – Frequently Asked Questions*, at: https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html and the EEOC's guidance, *Consideration of Arrest and Conviction Records in Employment Decisions* (2012), at: www.eeoc.gov/laws/guidance/arrest_conviction.cfm.

[190] 775 ILCS 5/1-103(Q). The term *order of protection status* means a person protected under an order of protection issued pursuant to the Ill. Domestic Violence Act of 1986 (750 ILCS 60/), Article 112A of the Code of Criminal Procedure of 1963 (725 ILCS 5/112A-1.5), the Stalking No Contact Order Act (740 ILCS 21/), the Civil No Contact Order Act (740 ILCS 22/), or an order of protection issued by a court of another state. 775 ILCS 5/1-103(K-5).

[191] *Military status* means a person's status on active duty or in status as a veteran in the U.S. Armed Forces, veteran of any reserve component of U.S. Armed Forces, or current member or veteran of the Ill. Army National Guard or Ill. Air National Guard. 775 ILCS 5/1-103(J-1). *Unfavorable military discharge* does not include those characterized as RE-4 or *dishonorable*. 775 ILCS 5/1-103(P). The Uniformed Services Employment and Reemployment Rights Act of 1994 prohibits employers from discriminating or retaliating against any person for reasons related to past, present, or future service in a *uniformed service*. 38 U.S.C. §4301 et seq.

[192] 775 ILCS 5/1-102(C). According to the Immigration Reform and Control Act of 1986, all employers must verify that employees are either U.S. citizens or authorized to work in the U.S. 8 U.S.C. §1324(a) et seq.

[193] 775 ILCS 5/2-102(A), amended by P.A. 102-233. *Work authorization status* means the status of being a person born outside of the United States, and not a U.S. citizen, who is authorized by the federal government to work in the United States. 775 ILCS 5/2-101(L), added by P.A. 102-233. Under the IHRA, it is a civil rights violation for an employer to refuse to honor a legal work authorization; however, employers are not required to sponsor any applicant or employee to obtain or modify work authorization status, unless required by federal law. 775 ILCS 5/2-102(G), amended by P.A. 102-233; 775 ILCS 5/2-104(D), added by P.A. 102-233.

[194] The Right to Privacy in the Workplace Act prohibits discrimination based on use of lawful products, e.g., alcohol, cannabis, and tobacco, off premises during non-working hours. 820 ILCS 55/5.

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or any other crime of violence;[195] genetic information;[196] physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation;[197] pregnancy, childbirth, or related medical conditions;[198] reproductive health decisions;[199] credit history, unless a

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[195] 820 ILCS 180/30, amended by P.A.s 102-487 and 102-890, Victims' Economic Security and Safety Act (VESSA). *Gender violence* means: (1) one or more acts of violence or aggression that are a criminal offense under State law committed, at least in part, on the basis of a person's actual or perceived sex or gender, (2) a physical intrusion or invasion of a sexual nature under coercive conditions that is a criminal offense under State law, or (3) a threat to commit one of these acts. 820 ILCS 180/10(12.5). In certain circumstances, an employer can be held liable for gender-related violence that occurs in the workplace if the employer failed to investigate complaints or failed to supervise, train, or monitor an employee who engaged in the violence. 740 ILCS 82/11, added by P.A. 103-202, Gender Violence Act. *Other crime of violence* under VESSA means conduct prohibited by 720 ILCS 5/9 (homicide), 720 ILCS 5/11 (sex offenses), 720 ILCS 5/12 (bodily harm), 720 ILCS 5/26.5 (harassing and obscene communications), 720 ILCS 5/29D (terrorism), and 720 ILCS 5/33A (armed violence), or similar provision of the Criminal Code of 1961. 820 ILCS 180/10(2.5), added by P.A. 102-487.

An employer is prohibited from discriminating against any individual, e.g., an applicant for employment, because he or she "is an employee whose employer is subject to Section 21 of the Workplace Violence Prevention Act." The Workplace Violence Prevention Act allows an employer to seek a *workplace protection restraining order* when there is a credible threat of violence at the workplace. 820 ILCS 275/. The law requires the employer seeking a *workplace protection restraining order* to notify the employee who is a victim of *unlawful violence*. 820 ILCS 275/21.

[196] Illinois' Genetic Information Privacy Act (GIPA) (410 ILCS 513/25) and Title II of Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. §2000ff et seq.). Both laws protect job applicants and current and former employees from discrimination based on their genetic information. Note that GIPA provides greater protections to Illinois employees than Title II of GINA. GIPA prohibits employers from penalizing employees who do not disclose genetic information or do not choose to participate in a program requiring disclosure of the employee's genetic information. See f/n 12 in sample policy 2:260, *Uniform Grievance Procedure*, for the definition of genetic information and a detailed description of both statutes, including of Title I of GINA affecting the use of genetic information in health insurance. The EEOC vacated certain 2016 ADA and GINA wellness program regulations following an adverse court ruling. 83 Fed. Reg. 65296. Those rules provided guidance to employers on the extent to which they could use incentives (such as discounted health plan costs) to encourage employees to participate in wellness programs that asked for employee and family health information. Consult the board attorney for guidance regarding specific application of ADA and GINA and how they integrate with other related laws, e.g., the Family Medical Leave Act and other State laws governing time off for sickness and workers' compensation.

[197] Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12101 et seq.), amended by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) (Pub. L. 110-325) and modified by the LLFPA; Rehabilitation Act of 1973 (29 U.S.C. §701 et seq.).

[198] 775 ILCS 5/2-102(I). Employers must provide reasonable accommodations to employees with conditions related to pregnancy, childbirth, or related conditions. 775 ILCS 5/2-102(J). Guidance from the IDHR is available at: https://dhr.illinois.gov/publications/pregnancy-rights.html. Employers are required to post a notice summarizing the right to be free from unlawful discrimination and the right to certain reasonable accommodations. 775 ILCS 5/2-102(K). The IDHR is required to prepare such a notice, retrievable from its website, which employers may use.

Federal law also prohibits employers from discriminating against employees and applicants on the basis of pregnancy, childbirth, or related medical conditions. 42 U.S.C. §2000e(k). Similar to the IHRA, the federal Pregnant Workers Fairness Act (PWFA) (42 U.S.C. §2000gg et seq.), added by Pub.L 117-328 and implemented by 29 C.F.R. Part 1636, requires employers to provide reasonable accommodations to an employee's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an undue hardship. For further information about implementation of the PWFA, see the EEOC's *Summary of Key Provisions of EEOC's Final Rule to Implement the PWFA*, at: www.eeoc.gov/summary-key-provisions-eeocs-final-rule-implement-pregnant-workers-fairness-act-pwfa. Pregnant workers with pregnancy-related impairments may also have disabilities for which they may be entitled to reasonable accommodation under the ADA. Guidance from the EEOC is available at: www.eeoc.gov/pregnancy-discrimination. State law also prohibits the State, which includes school districts, from interfering with or discriminating against an individual's fundamental right to continue a pregnancy or to have an abortion. 775 ILCS 55/.

[199] 775 ILCS 5/1-102(A) and 5/1-103(Q), amended by P.A. 103-785, eff. 1-1-25. *Reproductive health decisions* means a person's decisions regarding their use of: contraception; fertility or sterilization care; assisted reproductive technologies; miscarriage management care: healthcare related to the continuation or termination of pregnancy; or prenatal, intranatal, or postnatal care. Id. at 5/1-103(O-2).

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satisfactory credit history is an established bona fide occupational requirement of a particular position;[200] conviction record, unless authorized by law;[201] family responsibilities;[202] or other legally protected categories.[203] [204] [205] [206] No one will be penalized solely for his or her status as a registered qualifying patient

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[200] 820 ILCS 70/, Employee Credit Privacy Act. Unless a satisfactory credit history is an *established bona fide occupational requirement* of a particular position, an employer may not: (1) refuse to hire, discharge, or otherwise discriminate against an individual with respect to employment because of the individual's credit history or credit report; (2) inquire about an applicant's or employee's credit history; or (3) order or obtain an applicant's or employee's credit report from a consumer reporting agency. The Act identifies circumstances that permit a satisfactory credit history to be a job requirement, such as, the position's duties include custody of or unsupervised access to cash or marketable assets valued at $2,500 or more. Id. at 70/10.

[201] 775 ILCS 5/2-103.1(A). The IHRA prohibits an employer from *disqualifying* or taking other *adverse action* against an applicant or employee based on a *conviction record* unless: (1) otherwise authorized by law; (2) there is a *substantial relationship* between the criminal offense and the employment sought; or (3) granting the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. Id. Disqualification or adverse action includes refusal to hire, segregation, and actions with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges, or conditions of employment. Id. If a board wants to terminate or take other adverse action against a *current* district employee based in whole or in part on a conviction record, it still must comply with all applicable statutory, policy, and bargaining agreement provisions. Boards should consult the board attorney to ensure all legal obligations are met.

Districts that wish to disqualify or take other adverse action against an applicant or employee based on a conviction record must first engage them in an *interactive assessment*, providing the individual with the opportunity to submit evidence in mitigation or to dispute the accuracy of the conviction record. See sample policy 5:30, *Hiring Process and Criteria*, at f/n 5, and sample administrative procedure 5:30-AP2, *Investigations*, for more information.

[202] 775 ILCS 5/2-102(A), amended by P.A. 103-797, eff. 1-1-25, prohibits an employer from refusing to hire, segregating, harassing, or making other employment-related decisions on the basis of an employee's family responsibilities. *Family responsibilities* means an employee's actual or perceived provision of *personal care* to a *covered family member*, as those terms are defined in the Employee Sick Leave Act, 820 ILCS 191/5.

[203] Insert the following optional sentence (775 ILCS 5/1-103(A) and 29 U.S.C. §631):

Age, as used in this policy, means the age of a person who is at least 40 years old.

[204] Insert the following optional provision (29 U.S.C. §705(10)(A)-(B), (20)(C)(v), (20)(D) and 42 U.S.C. §12114):

Handicap and *disability*, as used in this policy, excludes persons:

1. Currently using illegal drugs;
2. Having a currently contagious disease or infection and who, by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the currently contagious disease or infection, are unable to perform the duties of the job; or
3. Whose current alcohol use prevents them from performing the job's duties or constitutes a direct threat to the property or safety of others.

Persons who have successfully completed or are participating in a drug rehabilitation program are considered *disabled*.

[205] Districts may not make residency in the district a condition of employment for teachers or educational support personnel. 105 ILCS 5/24-4.1, 5/10-23.5. This ban on residency requirements for teachers applies only to instructional personnel, and not, for example, to assistant principals. Owen v. Kankakee Sch. Dist., 261 Ill.App.3d 298 (3rd Dist. 1994). Districts also may not ask an applicant, or the applicant's previous employer, whether the applicant ever received, or filed a claim for, benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act. 820 ILCS 55/10(a). Districts are also prohibited from requiring, requesting, or coercing an employee or potential employee to provide a user name and password or any password or other related account information to gain or demand access to his or her personal online account. 820 ILCS 55/10(b). While the law does not prohibit employers from viewing public information, consult the board attorney before engaging in this practice.

[206] School districts must accommodate employees who choose to continue breastfeeding after returning to work. See 740 ILCS 137/, Right to Breastfeed Act; 820 ILCS 260/, Nursing Mothers in the Workplace Act (NMWA); and 29 U.S.C. §218d, added by Pub.L. 117-328. At least one court has ruled an implied private right of action may exist under the NMWA. Spriesch v. City of Chicago, 2017 WL 4864913 (N.D.Ill. 2017). See sample language for a personnel handbook in sample administrative procedure 5:10-AP, *Workplace Accommodations for Nursing Mothers*.

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or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/.[207]

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager under Board policy 2:260, *Uniform Grievance Procedure*, or in the case of denial of equal employment opportunities on the basis of race, color, or national origin, Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information. [208]

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager under Board policy 2:260, *Uniform Grievance Procedure*. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. [209]

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.[210]

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[207] 410 ILCS 130/40; 77 Ill.Admin.Code Part 946. To legally use medical cannabis, an individual must first become a *registered qualifying patient*. Their *use* of cannabis, e.g., permissible locations, is governed by the Compassionate Use of Medical Cannabis Program Act. 410 ILCS 130/. There are many situations in which no one, even a registered qualifying patient, may possess or use cannabis except as provided under *Ashley's Law* (105 ILCS 5/22-33), including in a school bus or on the grounds of any preschool, or primary or secondary school. 410 ILCS 130/30(a)(2) & (3). See sample policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*, at f/n 9 for further discussion.

[208] 775 ILCS 5/6-101, amended by P.A. 103-472. Discrimination on the basis of a request for or use of a reasonable accommodation is a civil rights violation under the IHRA. Id. Most discrimination laws prohibit retaliation against employees who oppose practices made unlawful by those laws, including, for example, Title VII, Title IX, ADA, ADEA, VESSA, the EPA, and the Ill. Whistleblower Act (IWA).

The IWA prohibits employers from retaliating against employees who disclose or threaten to disclose information to a government or law enforcement agency about an employer's activity, policy, or practice that the employee believes, in good faith: (1) violates a State or federal law, rule, or regulation, or (2) poses a substantial and specific danger to employees, public health, or safety. 740 ILCS 174/15(b), amended by P.A. 103-867, eff. 1-1-25. See 740 ILCS 174/15, 20, 20.1, and 20.2, amended by P.A. 103-867, eff. 1-1-25, for other specific categories of retaliation prohibited by the IWA.

The Ill. False Claims Act defines *State* to include school districts. 740 ILCS 175/2(a). Thus, boards may seek a penalty from a person for making a false claim for money or property. 740 ILCS 175/4. For information regarding the IWA and the tort of retaliatory discharge, see Thomas v. Guardsmark, 487 F.3d 531 (7th Cir. 2007)(discussing the elements of retaliatory discharge and IWA); Sherman v. Kraft General Foods, Inc., 272 Ill.App.3d 833 (4th Dist. 1995)(finding employee who reported asbestos hazard had a cause of action for retaliatory discharge).

[209] The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "~~The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.~~," insert a hard return to create a new paragraph, and insert "The Superintendent shall appoint a Title IX Coordinator to coordinate the District's efforts to comply with Title IX." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.

[210] Title IX regulations require districts to designate and authorize at least one employee to coordinate their efforts to comply with Title IX and to refer to that employee as the *Title IX Coordinator*. 34 C.F.R. §106.8(a). Districts must identify the Title IX Coordinator by name, office address, email address, and telephone number. Id. See f/ns 22 and 23 in sample policy 2:260, *Uniform Grievance Procedure*.

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Nondiscrimination Coordinator: [211]

_____
Name

_____
Address

_____
Email

_____
Telephone

Complaint Managers:

_____	_____
Name	Name
_____	_____
Address	Address
_____	_____
Email	Email
_____	_____
Telephone	Telephone

The Superintendent shall also use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as, by posting required notices and including this policy in the appropriate handbooks. [212]

While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

[211] Best practice is that throughout the district's board policy manual, the same individual be named as Nondiscrimination Coordinator. In contrast, Complaint Managers identified in individual policies may vary depending upon local district needs.

[212] In addition to notifying employees of the Uniform Grievance Procedure, a district must notify them of the person(s) designated to coordinate the district's compliance with Title IX and the Rehabilitation Act of 1973. 34 C.F.R. §§106.8(a), 104.8(a). The Nondiscrimination Coordinator may be the same individual for both this policy and sample policy 7:10, *Equal Educational Opportunities*, as well as a Complaint Manager for sample policy 2:260, *Uniform Grievance Procedure*. A comprehensive faculty handbook can provide required notices, along with other important information, to recipients. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and school board. Any *working conditions* contained in the handbook may be subject to mandatory collective bargaining.

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Minority Recruitment [213]

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

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[213] All districts must have a policy on minority recruitment. 105 ILCS 5/10-20.7a. Unlike minority recruitment efforts, affirmative action plans are subject to significant scrutiny because of the potential for reverse discrimination. The U.S. Constitution's guarantee of equal protection prohibits school districts from using racial hiring quotas without evidence of past discrimination. See 29 C.F.R. §1608.1 et seq. (EEOC's guidelines for affirmative action plans); Wygant v. Jackson Bd. of Ed., 476 U.S. 267 (1986) (The goal of remedying societal discrimination does not justify race-based layoffs.); City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989) (Minority contractor quota struck; quotas must be narrowly tailored to remedy past discrimination and the city failed to identify the need for remedial action and whether race-neutral alternatives existed.).

The IHRA states that it shall not be construed as requiring any employer to give preferential treatment or special rights based on sexual orientation or to implement affirmative action policies or programs based on sexual orientation. 775 ILCS 5/1-101.1.

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LEGAL REF.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
29 U.S.C. §206(d), Equal Pay Act.
29 U.S.C. §218d, Fair Labor Standards Act.
29 U.S.C. §621 et seq., Age Discrimination in Employment Act.
29 U.S.C. §701 et seq., Rehabilitation Act of 1973.
38 U.S.C. §4301 et seq., Uniformed Services Employment and Reemployment Rights Act (1994).
42 U.S.C. §1981 et seq., Civil Rights Act of 1991.
42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.
42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. Part 1601.
42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act of 2008.
42 U.S.C. §2000gg et seq., Pregnant Workers Fairness Act; 29 C.F.R. Part 1636.
42 U.S.C. §2000e(k), Pregnancy Discrimination Act.
42 U.S.C. §12111 et seq., Americans with Disabilities Act, Title I.
Ill. Constitution, Art. I, §§17, 18, and 19.
105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.
410 ILCS 130/40, Compassionate Use of Medical Cannabis Program Act.
410 ILCS 513/25, Genetic Information Privacy Act.
740 ILCS 174/, Ill. Whistleblower Act.
775 ILCS 5/1-103, 5/2-101, 5/2-102, 5/2-103, 5/2-103.1, 5/2-104(D) and 5/6-101, Ill. Human Rights Act.
775 ILCS 35/, Religious Freedom Restoration Act.
820 ILCS 55/10, Right to Privacy in the Workplace Act.
820 ILCS 70/, Employee Credit Privacy Act.
820 ILCS 75/, Job Opportunities for Qualified Applicants Act.
820 ILCS 112/, Ill. Equal Pay Act of 2003.
820 ILCS 180/30, Victims' Economic Security and Safety Act.
820 ILCS 260/, Nursing Mothers in the Workplace Act.

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

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General Personnel

Workplace Harassment Prohibited [214]

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 actual or perceived race[215], color, religion[216], national origin, ancestry, sex, sexual orientation, age, citizenship status, work authorization status, disability, pregnancy, marital status, family

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[214] State or federal law controls this policy's content. Federal law requires districts to take action to prevent sexual harassment and to disseminate a policy regarding its prohibition of sex discrimination. 29 C.F.R. §1604.11(f); 34 C.F.R. §106.8(b). State law requires districts to establish a policy to prohibit sexual harassment. 5 ILCS 430/70-5(a). See f/n 4 below. Harassment based on a protected status is a form of discrimination that violates many State and federal laws (see the policy's Legal References).

Workplace harassment policies have typically focused on *sexual* harassment since it receives the most attention. However, the broad prohibitions against discrimination in State and federal civil rights laws will cover harassing conduct that is motivated by animus against any protected status. See Porter v. Erie Foods Int'l, Inc., 576 F.3d 629 (7th Cir. 2009) (recognizing a cause of action for race harassment). For a list of protected statuses, see sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. This policy prohibiting harassment has a separate section on sexual harassment because of the extensive statutory and case law regarding it.

Under the Ill. Human Rights Act (IHRA), harassment is unlawful if it has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. 775 ILCS 5/2-101(E-1). *Working environment* is not limited to a physical location to which an employee is assigned. Id. Harassment is unlawful on the basis of the specifically-listed categories in this policy whether that status is *actual* or *perceived*. Id.

An employer is liable under Title VII of the Civil Rights Act of 1964 (Title VII) for an employee's harassment of a co-worker if the employer was negligent with respect to the offensive behavior by, for example, failing to take remedial action when it knew or should have known about the harassment. 42 U.S.C. §2000e et seq. An employer is liable under the IHRA for harassment by its nonmanagerial and nonsupervisory employees if it becomes aware of the conduct and fails to take reasonable corrective measures. 775 ILCS 5/2-102(A). However, when the perpetrator is the victim's supervisor, the employer will be vicariously liable for the supervisor's actions. Lack of knowledge of a supervisor's misconduct is no defense. Burlington Indus. v. Ellerth, 524 U.S. 742 (1998); Faragher v. City of Boca Raton, 524 U.S. 775 (1998). A *supervisor* is someone who has the authority to demote, discharge, or take other negative job action against the victim. Vance v. Ball State Univ., 570 U.S. 421 (2013). Note that the IHRA (775 ILCS 5/2-102(D)) imposes strict liability on the employer when an employee has been sexually harassed by supervisory personnel regardless of whether the harasser has any authority over the complainant. Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009). Additionally, under the IHRA, an employer is liable for the harassment of *nonemployees* by nonmanagerial and nonsupervisory employees if it becomes aware of the conduct and fails to take reasonable corrective measures. 775 ILCS 5/2-102(A-10) and (D-5). Nonemployees are those who are directly performing services for an employer pursuant to a contract, such as contractors or consultants. Id.

Not all harassing conduct is unlawful discrimination, even if it is disruptive and hurtful. If a board wants to include language in this policy prohibiting employees from engaging in intimidating or offensive conduct that is *not* a civil rights violation, it should consult the board attorney.

For additional resources, see the EEOC's *Enforcement Guidance on Harassment in the Workplace* at: www.eeoc.gov/laws/guidance/enforcement-guidance-harassment-workplace and its accompanying summary at: www.eeoc.gov/summary-key-provisions-eeoc-enforcement-guidance-harassment-workplace.

[215] See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 3, for information about the definition of *race*.

[216] The IHRA contains a *religious discrimination* subsection. 775 ILCS 5/2-102(E-5). It expressly prohibits employers from requiring a person to violate a sincerely held religious belief to obtain or retain employment unless, after engaging in a bona fide effort, the employer demonstrates that it is unable to reasonably accommodate the employee's or prospective employee's sincerely held religious belief, practice, or observance without undue hardship on the conduct of the employer's business. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 4, for further discussion. Religious beliefs include, but are not limited to: the wearing of any attire, clothing, or facial hair in accordance with the requirements of his/her religion. Id. Employers may, however, enact a dress code or grooming policy that restricts attire, clothing, or facial hair to maintain workplace safety or food sanitation. Id.

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responsibilities,[217] reproductive health decisions,[218] order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's 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 policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*.

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

Sexual Harassment Prohibited [219]

The District shall provide a workplace environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and

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[217] 775 ILCS 5/2-101(E-1), amended by P.A. 103-797, eff. 1-1-25. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 22, for additional information.

[218] 775 ILCS 5/1-102(A) and 5/1-103(Q), amended by P.A. 103-785, eff. 1-1-25. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, at f/n 19, for additional information.

[219] The IHRA (775 ILCS 5/2-102(D)) provides that sexual harassment is a civil rights violation:

> For any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment; provided, that an employer shall be responsible for sexual harassment of the employer's employees by non-employees or non-managerial and non-supervisory employees only if the employer becomes aware of the conduct and fails to take reasonable corrective measures.

See sample policy 2:265, *Title IX Grievance Procedure*, for the definition of Title IX sex-based harassment (20 U.S.C. §1681 et seq.; 34 C.F.R. §106.2), and see f/n 3 of it for examples of employee sex-based harassment that may violate Title IX. Title IX's reach is broad because a *complainant* may be *anyone* who was participating or attempting to participate in the district's educational program or activity at the time of the alleged sex discrimination, and *respondent* means a person alleged to have violated the district's prohibition on sex discrimination. 34 C.F.R. §106.2. This includes applicants for employment, students, parents/guardians, any employee, and third parties. Districts are liable for Title IX sexual harassment when *any* district employee has information about conduct that may reasonably constitute sex discrimination against anyone in the district. 34 C.F.R. §106.44(c)(1).

The State Officials and Employees Ethics Act (SOEEA) (5 ILCS 430/70-5(a)) requires governmental entities (including school districts) to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment. Unlike the powers granted by the Ill. General Assembly to municipalities to pass ordinances, school boards govern by rules referred to as *policies*. 105 ILCS 5/10-20.5. Further, school boards may only exercise powers given to them that are consistent with the School Code that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board. 105 ILCS 5/10-20.

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 (IDHR); (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the SOEEA, the Whistleblower Act (740 ILCS 174/), and the IHRA (775 ILCS 5/); (4) the consequences: (a) of a violation of the prohibition on sexual harassment and (b) for knowingly making a false report; and (5) a mechanism for reporting and independent review of allegations of sexual harassment made against an elected official of the governmental unit by another elected official of a governmental unit. 5 ILCS 430/70-5(a). Sample policy 2:105, *Ethics and Gift Ban*, covers item (5) of this list.

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federal law. The District provides annual sexual harassment prevention training in accordance with State law.[220]

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.[221] Sexual harassment prohibited by this policy includes, but is not limited to, verbal, 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.

Making a Report or Complaint

Employees and *nonemployees*[222] (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with the District, including contractors, and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual's same gender. Every effort should be made to file such reports or complaints as soon as possible, while facts are known and potential witnesses are available.

Aggrieved individuals, 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.

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[220] 775 ILCS 5/2-109. See sample policy 5:100, *Staff Development Program*. Districts may use a free, online model program to be offered by the Ill. Dept. of Human Rights (IDHR), develop their own program, or utilize a combination of the two, as long as it includes the following, at a minimum: (1) an explanation of sexual harassment consistent with the IHRA, (2) examples of conduct that constitutes unlawful harassment, (3) a summary of relevant federal and State law concerning sexual harassment and remedies available to victims of sexual harassment, and (4) a summary of responsibilities of employers in the prevention, investigation, and corrective measures of sexual harassment. Id. at 5/2-109(B). For IDHR's online model program, see its *Model Sexual Harassment Prevention Training Program* page at: https://www2.illinois.gov/dhr/Training/Pages/State-of-Illinois-Sexual-Harassment-Prevention-Training-Model.aspx. Employers that fail to comply with this training requirement may face financial penalties. Id. Training on other types of workplace harassment is not required by law; however it is best practice.

[221] This definition is from State and federal law. 775 ILCS 5/2-101(E) and 29 C.F.R. §1604.11. *Working environment* is not limited to a physical location to which an employee is assigned. 775 ILCS 5/2-101(E). The harassing conduct must be severe or pervasive so as to alter the conditions of the employee's work environment by creating a hostile or abusive situation. Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004). The surrounding circumstances, expectations, and relationships will distinguish between teasing or rough-housing and conduct that a reasonable person would find severely hostile or abusive. In addition, while same-sex gender harassment claims are actionable, the victim must show that s/he suffered disadvantageous employment conditions to which members of the other sex were not exposed. Oncale v. Sundowner Offshore Servs., 523 U.S. 75 (1998).

[222] 775 ILCS 5/2-102(A-10) and (D-5). See also f/n 1, above, for discussion regarding nonemployees.

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Whom to Contact with a Report or Complaint [223]

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. [224]

An employee 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 claim according to that policy, in addition to any response required by this policy.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. [225]

Nondiscrimination Coordinator:

_____

Name

_____

Address

_____

Email

_____

Telephone

Complaint Managers:

_____ _____

Name Name

_____ _____

_____

[223] While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

[224] 5 ILCS 430/70-5(a) 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. Note also that the IDHR has established a Sexual Harassment Hotline Call Center and website to help the public find resources and assistance for the filing of sexual harassment complaints. The hotline can be reached Monday through Friday with the exception of State holidays, between the hours of 8:30 a.m. and 5:00 p.m., at 1-877-236-7703. See https://shdh.illinois.gov/. All communications received by the IDHR are exempt from disclosure under the Freedom of Information Act (FOIA).

[225] Title IX regulations require districts to designate and authorize at least one employee, referred to as the Title IX Coordinator, who is responsible for coordinating the district's compliance efforts. 34 C.F.R. §106.8(a). For further discussion of the Title IX Coordinator, see f/n 11 in sample policy 2:265, *Title IX Grievance Procedure*.

The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "~~The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.~~," and supplement the previous sentence to state "The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.

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Address	Address
Email	Email
Telephone	Telephone

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager.[226] Any employee 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.

For any report or complaint alleging sex-based harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee[227] shall consider whether action under Board policy 2:265, *Title IX Grievance Procedure*, should be initiated.

For any report or complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall investigate under Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited.*

For any other alleged workplace harassment that does not require action under Board policies 2:265, *Title IX Grievance Procedure*, or 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under Board policy 2:260, *Uniform Grievance Procedure*, and/or 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*,[228] should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel [229]

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

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[226] If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state "Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator, Title IX Coordinator, or a Complaint Manager."

[227] "Nondiscrimination Coordinator or designee" is used where Title IX is potentially implicated. In contrast, if Title IX is likely not implicated then "Nondiscrimination Coordinator or a Complaint Manager or designee" is used (see next paragraph in policy text). If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, delete "~~Nondiscrimination~~" and insert "Title IX" in its place.

[228] See sample administrative procedure 5:120-AP2, *Employee Conduct Standards* and its exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*.

[229] Required for districts located within a county served by an accredited Children's Advocacy Center (CAC). Delete this subhead if your school district is within a county not served by an accredited CAC. 105 ILCS 5/22-85 (governing the investigation of an *alleged incident of sexual abuse* of any child within any Illinois counties served by a CAC). For further discussion see f/n 14 in sample policy 5:90, *Abused and Neglected Child Reporting*.

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Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to Board policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under Board policy 2:265, *Title IX Grievance Procedure*, or Board policy 2:260, *Uniform Grievance Procedure*.

Enforcement [230]

A violation of this policy by an employee may result in discipline, up to and including discharge.[231] 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, e.g., vendor, parent/guardian, invitee, etc. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee that may be up to and including discharge. [232]

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 complaints or providing information about harassment is prohibited (see Board policies 2:260, *Uniform Grievance Procedure*, 2:265, *Title IX Grievance Procedure*, and 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and/or the Ill. Human Rights Act (775 ILCS 5/). [233]

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.

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[230] See Berry v. Delta Airlines, 260 F.3d 803, 811 (7th Cir. 2001) ("If an employer takes reasonable steps to discover and rectify the harassment of its employees ... it has discharged its legal duty.")

In addition to violating other civil rights laws, a school district violates the *public accommodations* article in the IHRA if it fails to take corrective action to stop severe or pervasive harassment. 775 ILCS 5/5-102 and 5/5-102.2, amended by P.A.s 102-1102 and 103-472.

[231] 5 ILCS 430/70-5(a)(consequences of a violation of the prohibition on sexual harassment). When discharge is the penalty, examine 50 ILCS 205/3c. It requires a school district to post on its website and make available to news media specific information about severance agreements that it enters into because an employee or contractor was found to have engaged in sexual harassment or sexual discrimination, as defined by the IHRA or Title VII. Id. Additionally, under the Workplace Transparency Act (WTA), employers may not require confidentiality clauses in settlement or termination agreements involving alleged unlawful employment practices under federal or State civil rights laws, except under specific conditions. 820 ILCS 96/1-30.

Prior to the passage of 50 ILCS 205/3c and the WTA, members of the public could already access copies of severance agreements between school districts and their former employees under FOIA. The Ill. Atty. Gen. Public Access Counselor (PAC) directed a public body to release a settlement agreement that arose out of claims of sexual harassment. PAO 14-4. The PAC noted that the public body could not withhold the entire settlement agreement under 5 ILCS 140/7(1)(c), which exempts personal information that would constitute a clearly unwarranted invasion of privacy. Instead, it could redact personal information from the agreement, such as the complainants' names in order to protect their privacy. Id. However, data regarding settlement agreements involving allegations of sexual harassment or other unlawful discrimination that an employer must report to IDHR under 775 ILCS 5/2-108 is categorically exempt from FOIA. 5 ILCS 140/7.5(ss). See f/n 7 in sample policy 2:260, *Uniform Grievance Procedure*, for more discussion about reconciling 50 ILCS 205/3c with another new law, the Government Severance Pay Act (GSPA) (5 ILCS 415/10(a)(1)), which prohibits school district employees with contract provisions for severance pay to receive any severance pay if they are fired for *misconduct* by the board.

[232] 5 ILCS 430/70-5(a)(consequences for knowingly making a false report of sexual harassment).

[233] Id. (prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the SOEEA, the Whistleblower Act (740 ILCS 174/), and the IHRA (775 ILCS 5/)).

Crawford v. Metro. Gov't of Nashville & Davidson Cnty., 555 U.S. 271 (2009) (holding the anti-retaliation provision in Title VII protects an employee who spoke out about harassment, not only on his or her own initiative, but also in answering questions during an employer's internal investigation).

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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 [234]

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, applicants, and nonemployees of this policy, which shall include posting on the District website and/or making this policy available in the District's administrative office, and including this policy in the appropriate handbooks. [235]

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[234] 5 ILCS 430/70-5(a)(how an individual can report an allegation of sexual harassment, including options for making a confidential report to the Inspector General or the IDHR). This sample policy does not reference the Inspector General because the Inspector General does not have jurisdiction over public school districts. See 5 ILCS 430/20 (executive inspectors general), 5 ILCS 430/25 (legislative inspector general). School districts must also annually disclose to IDHR certain data about *adverse judgment or administrative rulings* made against them where there was a finding of sexual harassment or unlawful discrimination under federal, State, or local laws. 775 ILCS 5/2-108 (scheduled to be repealed on 1-1-30). See IDHR's *FAQ for Employers under Section 5/2-108*, at: https://dhr.illinois.gov/legal/report-adverse-judgments-and-administrative-rulings.html.

[235] A district must notify employees and applicants for employment of its prohibition of sex discrimination, the person(s) designated to coordinate the district's compliance with Title IX, how to locate the district's nondiscrimination policy and grievance procedures, how to report information about conduct that may constitute sex discrimination, and how to make a complaint under Title IX. 34 C.F.R. §106.8(c). A comprehensive faculty handbook can provide required notices, along with other important information to recipients. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board. Any *working conditions* contained in the handbook may be subject to mandatory collective bargaining.

Informing nonemployees is generally not required by law. However, given the potential for employer liability under the IHRA for harassment of nonemployees, best practice is to publicize this policy to those individuals as well.

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20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.
775 ILCS 5/2-101(E) and (E-1), 5/2-102(A), (A-10), (D-5), 5/2-102(E-5), 5/2-109, 5/5-102, and 5/5-102.2, Ill. Human Rights Act.
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
Vance v. Ball State Univ., 570 U.S. 421 (2013).
Crawford v. Metro. Gov't of Nashville & Davidson Cnty., 555 U.S. 271 (2009).
Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).
Oncale v. Sundowner Offshore Servs., 523 U.S. 75 (1998).
Burlington Indus. v. Ellerth, 524 U.S. 742 (1998).
Faragher v. City of Boca Raton, 524 U.S. 775 (1998).
Harris v. Forklift Systems, 510 U.S. 17 (1993).
Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).
Porter v. Erie Foods Int, Inc., 576 F.3d 629 (7th Cir. 2009).
Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004).
Berry v. Delta Airlines, 260 F.3d 803 (7th Cir. 2001).
Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:60 (Purchases and Contracts), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:20 (Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School Property)

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General Personnel

Hiring Process and Criteria [236]

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunity and minority recruitment.[237] The Superintendent is responsible for recruiting personnel and making hiring recommendations to the Board.[238] If the Superintendent's recommendation is rejected, the Superintendent must submit another.[239] No individual will be employed who has been convicted of a criminal offense listed in 105 ILCS 5/21B-80(c). [240]

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[236] State or federal law controls this policy's content. This policy contains an item on which impact bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

[237] See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Districts may not classify a job as either a *male* or *female* job. 29 C.F.R. §1604.5, 34 C.F.R. §106.55.

105 ILCS 5/22-95, amended by P.A. 103-46, requires school districts, when hiring or assigning educators for physical education, music, or visual arts, to prioritize the hiring or assigning of educators who hold an educator license and endorsement in those areas.

[238] Boards must consider the superintendent's recommendations concerning, among other things, "the selection, retention, and dismissal of employees." 105 ILCS 5/10-16.7. The board may want to use this alternative sentence:

All personnel decisions are made by the Board, but only on the recommendation of the Superintendent.

A board that fills a "new or vacant teaching position" must select a candidate based on: (1) certifications, (2) qualifications, (3) merit and ability (including performance evaluation, if available), and (4) relevant experience, provided that the length of continuing service with the district must not be considered a factor, unless all other factors are determined by the school district to be equal. 105 ILCS 5/24-1.5. The statute does not define "new or vacant teaching positions." The requirement does not apply to filling vacant positions under 105 ILCS 5/24-12 (reduction in force and recall). Consult the board attorney about these issues.

The Equal Pay Act of 2003, 820 ILCS 112/10(b-25), added by P.A. 103-539, eff. 1-1-25, makes it unlawful for employers with 15 or more employees to fail to include the "pay scale and benefits" for a position in any specific job posting. "Pay scale and benefits" means the wage or salary, or the wage or salary range, and a general description of benefits and other compensation. Id. at 112/5, amended by P.A. 103-539, eff. 1-1-25. To satisfy the posting requirement, an employer can include a hyperlink to a public webpage that includes the pay scale and benefit information. Id. at 112/10(b-25), added by P.A. 103-539, eff. 1-1-25. If an employer uses a third party to post its job postings, then the employer must provide the pay scale and benefits or a hyperlink containing the information to the third party. Id. The Act also requires employers to inform current employees of promotion opportunities within 14 calendar days after the employer posts externally for the position. Id. Employers are not prohibited from asking applicants about their wage or salary expectations for a position. Id.

[239] An additional optional sentence follows:

The Superintendent may select personnel on a short-term basis for a specific project or emergency condition before the Board's approval.

[240] 775 ILCS 5/2-103.1 prohibits employers from using conviction records as a basis to refuse to hire or to take any adverse action against an applicant or employee unless: (1) otherwise authorized by law; (2) there is a *substantial relationship* between the criminal offense and the employment sought; or (3) granting the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. For the disqualifying offenses listed in 105 ILCS 5/21B-80, amended by P.A. 102-552, a district does not have to show a *substantial relationship* between the offense and the position or that hiring or continuing to employ the person would involve an unreasonable risk. However, the Ill. Dept. of Human Rights (IDHR) interprets the Ill. Human Rights Act (IHRA) to still require the employer to notify the applicant of the disqualification pursuant to law and to afford the applicant at least five business days to respond in case the applicant wants to dispute the accuracy of the conviction record. Id. at 5/2-103.1(C). See IDHR's *Conviction Record Protection – Frequently Asked Questions* (March 2021), at: https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html.

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All applicants must complete a District application in order to be considered for employment. [241]

Job Descriptions

The Board maintains the Superintendent's job description and directs, through policy, the Superintendent, in his or her charge of the District's administration. [242]

Attorneys have different opinions as to whether the IHRA requires the *interactive assessment* outlined in 775 ILCS 5/2-103.1(c), which includes preliminary and final notices, when a disqualifying offense listed in 105 ILCS 5/21B-80 is found in a conviction record; **consult the board attorney for guidance on this issue**. See sample administrative procedure 5:30-AP2, *Investigations*, and its footnotes for more detail regarding the IHRA notice provisions and the need for districts to also comply with the seven-day notification requirement in the Ill. Uniform Conviction Information Act, 20 ILCS 2635/7. **Note:** The protections of 775 ILCS 5/2-103.1 do not cover *unpaid interns*, which may include student teachers in the K-12 context. The definition of *employee* in the IHRA only extends to include unpaid interns for civil rights violations involving sexual harassment. 775 ILCS 5/2-101(A)(1)(c) and 5/2-102(D).

105 ILCS 5/10-21.9(c); 105 ILCS 5/21B-80, amended by P.A. 102-552, allows individuals with criminal histories involving certain drug convictions to apply for or to reinstate their educator licenses seven years after their sentence for the criminal offense is completed. Consult the board attorney about whether the board wants to continue prohibiting employment for any individual who has a criminal history involving these exempted drug offenses.

For more discussion regarding criminal history records checks and screenings required by 105 ILCS 5/10-21.9, amended by P.A.s 102-552 and 102-702, see f/ns 5 and 6 in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

[241] Any person who applies for employment as a teacher, principal, superintendent, or other certificated employee who willfully makes a false statement on his or her application for employment, material to his or her qualifications for employment, which he or she does not believe to be true, is guilty of a Class A misdemeanor. 105 ILCS 5/22-6.5. District employment applications must contain a statement to this effect. Id. Each employment application for these positions must state the following (Id.):

> Failure to provide requested employment or employer history which is material to the applicant's qualifications for employment or the provision of statements which the applicant does not believe to be true may be a Class A misdemeanor.

Many districts ask applicants about disqualifying criminal convictions on their employment applications or at another point before a job offer is made. State law does not expressly prohibit this practice; however, guidance issued by IDHR regarding implementation of 775 ILCS 5/1-103(G-5) and 5/2-103.1 states "[u]nless authorized by law, an employer is prohibited from inquiring about an applicant's conviction record prior to making a job offer to the applicant." See *Conviction Record Protection – Frequently Asked Questions* guidance issued by IDHR (March 2021), at:

https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html.

While the School Code and Job Opportunities for Qualified Applicant Act do not prohibit districts from asking about disqualifying convictions before a job offer is made, it is unclear whether they affirmatively *authorize* such inquiries. The IDHR's guidance does not carry the force of law, but it may impact its handling of a discrimination charge based on a conviction record. It is also unclear if an applicant's mere disclosure of a disqualifying conviction on an application, absent results of a fingerprint-based criminal history records check, Ill. Sex Offender Registry check, or Violent Offender Against Youth Registry check, triggers the district's obligation to provide notice to the applicant under 775 ILCS 5/2-103.1(C); see also f/n 5, above. Consult the board attorney for advice on these issues and how they may affect application processes.

Any employer that asks applicants to record video interviews and uses an artificial intelligence (AI) analysis of the applicant-submitted videos must comply with the Artificial Intelligence Video Interview Act, 820 ILCS 42/. Employers should also be careful that use of AI, software, and algorithms to assess applicants does not violate the Americans with Disabilities Act (ADA) (42 U.S.C. §12101 et seq.). See EEOC technical assistance documents, *The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence to Assess Job Applicants and Employees* (May 2022), at: www.eeoc.gov/laws/guidance/americans-disabilities-act-and-use-software-algorithms-and-artificial-intelligence and *Select Issues: Assessing Adverse Impact in Software, Algorithms, and Artificial Intelligence Use in Employment Selection Procedures Under Title VII of the Civil Rights Act of 1964* (May 2023), at: www.eeoc.gov/select-issues-assessing-adverse-impact-software-algorithms-and-artificial-intelligence-used. Given the rapidly changing technologies in this area, please consult the board attorney.

[242] 105 ILCS 5/10-16.7. The foundation for a productive employment relationship begins with a board's policy, a thoughtfully crafted employment contract and job description, and procedures for communications and ongoing assessment. See IASB's *Foundational Principles of Effective Governance*, **Principle 3. The board employs a superintendent**, at:

www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/.

See also sample exhibit 3:40-E, *Checklist for the Superintendent Employment Contract Negotiation Process*, for best practice discussions about establishing the board-superintendent employment relationship and contract.

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The Superintendent shall develop and maintain a current comprehensive job description for each position or job category; however, a provision in a collective bargaining agreement or individual contract will control in the event of a conflict. [243]

Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law.[244] When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure that these checks are completed.[245] The Superintendent or designee, or if the applicant is a successful superintendent candidate, then the Board President shall notify an applicant if the applicant is identified in either database.[246] The School Code requires

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[243] Job descriptions will become the basis for categorizing a teacher into one or more positions that the teacher is qualified to hold for reduction in force (RIF) dismissal and recall purposes. 105 ILCS 5/24-12(b). A board should consult with its attorney to review its current list of job descriptions and discuss the district's specific responsibilities.

A job description is evidence of a position's essential functions. 29 C.F.R. §1630.2(n). The ADA protects individuals who have a disability and are qualified, with reasonable accommodation, to perform the *essential functions* of the job. 42 U.S.C. §12101 et seq., amended by the ADA Amendments Act (ADAAA), Pub. L. 110-325. Determining which functions are essential may be critical to determining if an individual with a disability is qualified. An individual is qualified to perform a job even though he or she is unable, due to a disability, to perform tasks which are incidental to the job. Only when an individual is unable to perform the *essential functions* of a job may a district deny the individual employment opportunities. 29 C.F.R. §1630.2(m). For a definition of essential functions see Id. at 1630.2(n). Whether a particular function is essential is a factual determination.

Important: The ADAAA made significant changes to the ADA's definition of disability that broadened the scope of coverage and overturned a series of U.S. Supreme Court decisions that made it difficult to prove that an impairment was a qualifying disability. There is information about the regulations and a link to them at: www.eeoc.gov/laws/guidance/fact-sheet-eeocs-final-regulations-implementing-adaaa. Consult the board attorney regarding how these amendments impact the district's hiring processes.

[244] The policy's requirements on criminal records checks for applicants for employment are mandated by 105 ILCS 5/10-21.9, amended by P.A.s 102-552 and 102-702. See sample administrative procedure 5:30-AP2, *Investigations*, for the process, timing, and positions requiring criminal background investigation and what steps a district must take if it wants to disqualify an applicant based on a conviction record. The Statewide Sex Offender Database (a/k/a Sex Offender Registry) is available at: https://isp.illinois.gov/Sor/Disclaimer. The Statewide Murderer and Violent Offender Against Youth Database is available at: https://isp.illinois.gov/MVOAY/Disclaimer. For more discussion regarding criminal history records checks and screenings required by 105 ILCS 5/10-21.9, amended by P.A. 102-702, see f/n 5 in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*. See sample policy 4:60, *Purchases and Contracts*, for requirements concerning (1) criminal background checks of employees of contractors who have *direct, daily contact* with students and (2) sexual misconduct related employment history reviews (EHRs) of employees of contractors who have *direct contact with children or students*.

[245] Id. If a board wants to require additional background inquiries beyond the fingerprint-based criminal history records information check required by 105 ILCS 5/10-21.9, amended by P.A.s 102-552 and 102-702, and the EHR required by 105 ILCS 5/22-94, added by P.A. 102-702, including the federal *Rap Back Service* (20 ILCS 2630/3.3) and/or checks through consumer reporting agencies regulated by the Fair Credit Reporting Act (15 U.S.C. §1681 et seq.), consult the board attorney. For more detailed information, see the laws listed in sample exhibit 3:40-E, *Checklist for the Superintendent Employment Contract Negotiation Process*, under the checklist item entitled **Conditions of Employment**, in the **Other Background Check Laws** row.

[246] 105 ILCS 5/10-21.9(b) and 105 ILCS 5/21B-10. The School Code requires the board president to keep a conviction record confidential. It is impossible to know whether a fingerprint-based criminal history records check and a check of the Statewide Sex Offender and Violent Offender Against Youth Databases on a successful superintendent candidate will come back with a conviction record.

Therefore, in accordance with best practice (ensuring compliance and aligning with good governance principles), this policy does not assign a designee for the board president to complete this task. However, to balance the requirement to keep conviction records confidential with the practical implementation of ensuring a fingerprint-based criminal history records check and a check of the Statewide Sex Offender and Violent Offender Against Youth Databases are performed on each successful superintendent applicant, a board president may want to designate the duty to order these checks to the individuals otherwise listed in 105 ILCS 5/10-21.9(b). Those individuals include the board president, the superintendent or designee, regional superintendent (if the check was requested by the district), state superintendent of education, state Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for clarification purposes, the Ill. State Police and/or Statewide Sex Offender Registry.

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the Board President to keep a conviction record confidential and share it only with the Superintendent, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, the Ill. State Police and/or Statewide Sex Offender Database for purposes of clarifying the information, and/or the Teachers' Retirement System of the State of Illinois when required by law.[247] The Board reserves its right to authorize additional background inquiries beyond a fingerprint-based criminal history records check when it deems it appropriate to do so, in accordance with applicable laws.

Each newly hired employee must complete a U.S. Citizenship and Immigration Services Form as required by federal law. [248]

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in 105 ILCS 5/21B-80[249] or who falsifies, or omits facts from, his or her employment application or other employment documents. If an indicated finding of abuse or neglect of a child has been issued by the Ill. Department of Children and Family Services or by a child welfare agency of another jurisdiction for any applicant for student teaching, applicant for employment, or any District employee, then the Board must consider that person's status as a condition of employment. [250]

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law and complies with each of the following: [251]

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[247] Id. at 5/10-21.9(b) and 105 ILCS 5/21B-85, amended by P.A.s 102-552 and 103-51. The School Code continues to define the board president's role in conducting criminal background investigations and receiving the results of these investigations, including the results for employees of district contractors. 105 ILCS 5/10-21.9. Many districts delegate this task in the hiring process to a human resources department.

105 ILCS 5/21B-85, amended by P.A.s 102-552 and 103-51, requires a board to provide prompt written notice to the board of trustees of the Teachers' Retirement System of the State of Illinois (TRS) when it learns that any teacher has been convicted of a felony offense (which provides for a sentence of death or imprisonment for one year or more). The notice to TRS is limited to (1) the name of the license holder, (2) fact of conviction, (3) name and location of the court in which the conviction occurred, and (4) the assigned case number from the court. Id.

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

For more discussion regarding responses to results obtained by criminal history records checks and screenings as required by 105 ILCS 5/10-21.9(e), amended by P.A. 102-702, see f/n 6 in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*.

[248] Immigration Reform and Control Act, 8 U.S.C. §1324a et seq. Consult with the board attorney regarding the district's rights and responsibilities under Illinois law if the district uses any electronic employment verification system, including *E-Verify* and/or the Basic Pilot Program. 820 ILCS 55/12, amended by P.A. 103-879, eff. 1-1-25. This statute states that nothing in the Right to Privacy in the Workplace Act (820 ILCS 55/) requires employers to enroll in any electronic employment verification system but also urges employers who use *E-Verify* (formerly known as the Basic Pilot/Employment Eligibility Verification Program) to consult the Ill. Dept. of Labor's website for current information on the accuracy of *E-Verify* and to review and understand their legal responsibilities relating to the use of any electronic employment verification systems. See https://labor.illinois.gov/laws-rules/conmed/privacy-workplace.html. 820 ILCS 55/13, added by P.A. 103-879, eff. 1-1-25, restricts employers from imposing work authorization verification or re-verification requirements greater than what is required by federal law, and it requires employers to follow certain procedures in the event it contends there is a discrepancy in the employee's employment verification information.

[249] See f/n 5, above.

[250] 105 ILCS 5/10-21.9(c) and (g). See f/n 6 in sample policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, for further discussion.

[251] As an alternative to describing the prohibited investigations, a board may substitute this sentence:

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law, including without limitation, investigation into or inquiry concerning: (1) credit history or report unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; (2) claim(s) made or benefit(s) received under Workers' Compensation Act; and (3) access to an employee's or applicant's social networking website, including a request for passwords to such sites.

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1. The District uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position. [252]
2. The District does not screen applicants based on their current or prior wages or salary histories, including benefits or other compensation, by requiring that the wage or salary history satisfy minimum or maximum criteria. [253]
3. The District does not request or require a wage or salary history as a condition of being considered for employment, being interviewed, continuing to be considered for an offer of employment, an offer of employment, or an offer of compensation. [254]
4. The District does not request or require an applicant to disclose wage or salary history as a condition of employment. [255]
5. The District does not ask an applicant or applicant's current or previous employers about wage or salary history, including benefits or other compensation. [256]
6. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act. [257]
7. The District does not request of an applicant or employee access in any manner to his or her personal online account, such as social networking websites, including a request for passwords to such accounts. [258]

The default policy provision and the alternative stated above – whichever is selected – may be made a prohibition rather than a duty of the superintendent; to do this, delete the stricken text as follows: "The ~~Superintendent shall ensure that the~~ District does not engage"

[252] Employee Credit Privacy Act, 820 ILCS 70/10. This Act allows inquiries into an applicant's credit history or credit report or ordering or obtaining an applicant's credit report from a consumer reporting agency when a satisfactory credit history is an *established bona fide occupational requirement* of a particular position. The Act identifies circumstances that permit a satisfactory credit history to be a job requirement, such as, the position's duties include custody of or unsupervised access to cash or marketable assets valued at $2,500 or more.

[253] 820 ILCS 112/10(b-5). If an employer violates this subsection, the employee may recover in a civil action any damages incurred, special damages up to $10,000, injunctive relief, and costs and reasonable attorney's fees. 820 ILCS 112/30(a-5).

[254] Id. at 112/10(b-5).

[255] Id.

[256] 820 ILCS 112/10(b-10). **Note:** Attorneys caution that using the exceptions in 820 ILCS 112/10(b-10)(1) and (2) may trigger litigation. Violating this subsection entitles an employee to recover in a civil action any damages incurred, special damages up to $10,000, injunctive relief, and costs and reasonable attorney's fees. 820 ILCS 112/30(a-5).

A school board that wishes to preserve these exceptions should consult its board attorney; then they may supplement number 5 by adding the following after "compensation":

unless the applicant's wage or salary history is a matter of public record, or is contained in a document completed by the applicant's current or former employer and then made available to the public by the employer, or then submitted or posted by the employer to comply with State or federal law; or the applicant is a current employee applying for a position with the same current employer.

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

[258] Id. at 55/10(b) (commonly known as the *Facebook Password Law*). A *personal online account* is defined as an online account used primarily by a person for personal purposes. *Personal online account* does not include an account created, maintained, used, or accessed for the business purpose of a person's employer or prospective employer. Id. at 55/10(b)(6). Bracketed explanations follow the statutory language in 820 ILCS 55/10(b)(5):

"Nothing in this subsection shall prohibit or restrict an employer from complying with a duty to screen employees or applicants prior to hiring…provided that the password, account information, or access sought by the employer only relates to an online account that:

(A) an employer supplies or pays; or

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8. The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Sexual Misconduct Related Employment History Review (EHR) [259]

Prior to hiring an applicant for a position involving *direct contact with children or students*, the Superintendent shall ensure that an EHR is performed as required by State law. When the applicant is a superintendent candidate, the Board President shall ensure that the EHR is initiated before a successful superintendent candidate is offered employment by the Board.

Physical Examinations [260]

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. The physical fitness examination must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination performed no more than 90 days before submitting evidence of it to the District.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or her supervising physician to perform health

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(B) an employee creates or maintains on behalf of under the direction of an employer in connection with that employee's employment."

[Based on this explanation, it is implausible that an applicant would have an account, service, or profile for business purposes of a school employer.]

The statute specifically permits an employer to: (1) maintain workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and (2) monitor usage of the employer's (district's) electronic equipment and electronic mail. The statute also states that it does *not prohibit* an employer from obtaining information about an applicant or an employee that is in the public domain or that is otherwise obtained in compliance with the statute. Finally, the statute does not apply to all types of personal technology that employees may use to communicate with students or other individuals, such as text messages on a personal phone. Consult the board attorney about these issues.

[259] 105 ILCS 5/22-94, added by P.A. 102-702. See sample administrative procedure 5:30-AP3, *Sexual Misconduct Related Employment History Review (EHR)*, for the process, timing, and positions requiring an EHR. See sample policy 4:60, *Purchases and Contracts*, and sample administrative procedure 4:60-AP4, *Sexual Misconduct Related Employment History Review (EHR) of Contractor Employees*, for EHR requirements for employees of contractors who have *direct contact with children or students*.

[260] 105 ILCS 5/24-5. According to this statute, a new or existing employee or substitute teacher employee may be subject to additional health examinations, including tuberculosis screening, as required by rules adopted by the Ill. Dept. of Public Health (IDPH) or by order of a local public health official. The IDPH does not require school employees to be screened for tuberculosis other than workers in child day care and preschool settings. 77 Ill.Admin.Code §696.140(a)(3).

The last sentence of the first paragraph exceeds State law requirements and may be deleted.

Note that while examination by a spiritual leader/practitioner is sufficient for purposes of leaves, the statute does not permit an examination by a spiritual leader/practitioner for initial employment exams. This difference may present a constitutional issue; contact the board attorney for an opinion if an applicant wants to use an examination by a spiritual leader/practitioner.

Federal law limits pre-employment medical inquiries to whether the applicant is able to perform job-related functions; required medical examinations of applicants is forbidden. ADA, 42 U.S.C. §12112(d)(2); see also f/n 8 for an explanation regarding the ADAAA. Districts may condition an employment offer on taking and passing medical inquiries or physical exams, provided that all entering employees in the same classification receive the same conditional offer.

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examinations, if the examination is job-related and consistent with business necessity.[261] The Board will pay the expenses of any such examination.

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, the school's rules and regulations, and the responsibilities of their position. Before beginning employment, each employee must sign the *Acknowledgement of Mandated Reporter Status* form as provided in policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
15 U.S.C. §1681 et seq., Fair Credit Reporting Act.
42 U.S.C. §12112, Americans with Disabilities Act; 29 C.F.R. Part 1630.
105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/10-22.34, 5/10-22.34b, 5/21B-10, 5/21B-80, 5/21B-85, 5/22-6.5, 5/22-94, and 5/24-5.
20 ILCS 2630/3.3, Criminal Identification Act.
820 ILCS 55/, Right to Privacy in the Workplace Act.
820 ILCS 70/, Employee Credit Privacy Act.
820 ILCS 112/, Equal Pay Act of 2003.
Duldulao v. St. Mary of Nazareth Hospital, 136 Ill. App. 3d 763 (1st Dist. 1985), aff'd in part and remanded 115 Ill.2d 482 (Ill. 1987).
Kaiser v. Dixon, 127 Ill. App. 3d 251 (2nd Dist. 1984).
Molitor v. Chicago Title & Trust Co., 325 Ill. App. 124 (1st Dist. 1945).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 3:50 (Administrative Personnel Other Than the Superintendent), 4:60 (Purchases and Contracts), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:220 (Substitute Teachers), 5:280 (Duties and Qualifications)

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[261] The State law (105 ILCS 5/24-5) allowing boards to require physicals of current employees "from time to time," is superseded by the ADA. 42 U.S.C. §12112(d)(4). 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. Id. 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. §1630.2(r). See f/n 8 for an explanation regarding the ADAAA.

See f/n 25 for a discussion of examinations by spiritual leaders/practitioners.

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General Personnel

Administrative Procedure - Investigations

Immigration Investigation

All newly hired employees must complete section one of the U.S. Citizenship and Immigration Services Form I-9 (Form I-9) no later than three business days following their first working day (Immigration Reform and Control Act, 8 U.S.C. §1324a, 8 C.F.R. §274a.2). See: www.uscis.gov/i-9. If an individual is unable to provide the required documents to complete it, the individual may present a receipt for the application of the required documents within three days of the hire. The individual must then present the required documents within 90 days of the hire. The Superintendent or designee completes section two of the Form I-9 and confirms the employee's information.

If the Employment Eligibility Verification System (E-Verify) is used to complete Form I-9, the Superintendent or designee will review the Ill. Dept. of Labor's website and its E-Verify factsheet, available at: https://labor.illinois.gov/content/dam/soi/en/web/idol/laws-rules/legal/documents/e-verification-facts-poster.pdf. If the District contends that there is a discrepancy in an employee's employment verification information, follow the procedures required by the Privacy in the Workplace Act, 820 ILCS 55/12, amended by P.A. 103-879, and 820 ILCS 55/13, added by P.A. 103-879, eff. 1-1-25.

The completed Form I-9 shall be maintained in a file separate from other personnel records in order to prevent unauthorized review of personnel files. The Form I-9 shall be retained for a period of three years after the date of hire or one year after individual employment is terminated, whichever is later.

Fingerprint-based Criminal History Records Information Check (105 ILCS 5/10-21.9, amended by P.A. 102-702)

A fingerprint-based criminal history records information check must be initiated prior to employment, but the District may permit the individual to be hired and begin employment pending its outcome. See *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf. See administrative procedure 5:30-AP4, *Fingerprint-Based Criminal History Record Information*, for procedures regarding the handling of sensitive CHRI provided through the Federal Bureau of Investigation's national databases.

A *complete criminal history records check* pursuant to 105 ILCS 5/10-21.9 consists of:

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

*These checks must be conducted by the District or the Regional Superintendent[13] once every five years that an individual remains employed by the District. 105 ILCS 5/10-21.9(a-5), (a-6), amended by P.A. 102-552.

[13] Alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center Executive Director" throughout this procedure.

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See also Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, and administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*. **Important:** 20 ILCS 2630/5.2 outlines how an individual may petition to have an arrest record expunged by the arresting authority and the records of the arrest sealed by the circuit court clerk. It also details offenses for which an individual cannot have his or her conviction sealed.

Note: The following criminal history records check guides are also available:

1. Guide to Understanding Criminal History Record Check Information is available at: https://dph.illinois.gov/content/dam/soi/en/web/idph/files/forms/background-check-guide-071817.pdf.
2. Ill. State Board of Education non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, at: www.isbe.net/Documents/guidance_chr.pdf.

The following individuals are responsible for the actions listed:

Applicant - Each applicant for employment in any position (except bus drivers employed by a private student transportation contractor) must provide a written authorization for a complete criminal history records check at the time he or she submits the application.

Individual Student Teaching or beginning a required internship - Each individual student teaching or beginning a required internship must provide written authorization for, and pay the costs of, his or her criminal history records check (including any applicable vendor's fees) prior to participating in any field experiences in the District. See 105 ILCS 5/10-21.9(g).

Applicant for Bus Driver - Each applicant for a bus driver position must complete the application required by the Secretary of State for a school bus driver permit (obtained from the District) and submit it to the District along with the necessary fingerprint submission as required by the ISP to conduct a fingerprint-based criminal history records check. The Superintendent or designee will conduct a pre-employment interview[14] with prospective school bus driver candidates, distribute school bus driver applications and medical forms, and submit the applicant's fingerprint cards to the ISP. The Superintendent or designee will certify in writing to the Secretary of State that all pre-employment conditions have been successfully completed, including the successful completion of a criminal history records check as required by State law. The applicant must present the certification to the Secretary of State at the time of submitting the school bus driver permit application. See 625 ILCS 5/6-106.1, amended by P.A.s 102-168 and 102-299; 92 Ill.Admin.Code §1035.25.

Superintendent or designee - **Note**: *Add any additional steps to efficiently receive a complete criminal history records check.*

1. Fingerprint-Based Criminal History Records Check:
    a. For all applicants, the Superintendent or designee completes the required forms to request the criminal history records checks from an appropriate ISP or LiveScan vendor. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the School Board President shall ensure that these checks are completed. This may include submitting the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers to the ISP and FBI on the forms prescribed by each agency.
    b. The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, will provide the applicant with a copy of the ISP and FBI reports. Required by 105 ILCS 5/10-21.9(b) and 20 ILCS

[14] Any employer that asks applicants to record video interviews and uses an artificial intelligence analysis of the applicant-submitted videos must comply with the Artificial Intelligence Video Interview Act, 820 ILCS 42/.

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2635/7. The applicant has the obligation and responsibility to notify the District within seven (7) working days if information in the report furnished by the ISP is inaccurate or incomplete. Id.

c. The Superintendent or designee, or the Regional Superintendent, notifies the State Superintendent of Education in writing within 15 business days when a CHRI returns a *conviction* of a crime set forth in 105 ILCS 5/21B-80. 105 ILCS 5/21.9(e), and:

   i. Makes a preliminary determination that the applicant will be disqualified based on a conviction record when: (1) the District is prohibited by 105 ILCS 5/10-21.9 from employing the individual because the conviction is an offense listed in 105 ILCS 5/21B-80, amended by P.A. 102-552;[15] (2) there is a *substantial relationship* between one or more of the previous criminal offenses and the employment sought or held; or (3) the employment would involve an *unreasonable risk* to property or to the safety or welfare of specific individuals or the general public.

      Conviction record means information indicating that a person has been convicted of a felony, misdemeanor or other criminal offense, placed on probation, fined, imprisoned, or paroled pursuant to any law enforcement or military authority. 775 ILCS 5/1-103(G-5). It includes the results of a *complete criminal history records check* conducted pursuant to 105 ILCS 5/10-21.9.

      Substantial relationship means a consideration of whether a job position offers the opportunity for the same or a similar offense to occur and whether the circumstances leading to the conduct for which the person was convicted will recur in the position. 775 ILCS 5/2-103.1(A).

      To determine whether an applicant is disqualified based on a *substantial relationship* or *unreasonable risk*, considers the following factors: (1) length of time since the conviction; (2) number of convictions that appear on the conviction record; (3) nature and severity of the conviction and its relationship to the safety and security of others; (4) the facts or circumstances surrounding the conviction; (5) the age of the employee at the time of the conviction; and (6) evidence of rehabilitation efforts. 775 ILCS 5/2-103.1(B). See also Ill. Dept. of Human Rights (IDHR) *Conviction Record Protection – Frequently Asked Questions* (March 2021), at: https://dhr.illinois.gov/conviction-record-protection-frequently-asked-questions.html.

   ii. When the applicant's conviction record disqualifies him/her/them, notifies the applicant of the preliminary decision in writing. The written notice shall contain: (1) the disqualifying convictions that are the basis for the preliminary decision and the District's reasoning for the disqualification; (2) a copy of the *complete criminal history records check* conducted pursuant to 105 ILCS 5/10-21.9; and (3) an explanation of the applicant's right to submit evidence challenging the accuracy of the conviction record that is the basis for the disqualification within seven (7) working days of the applicant's receipt of the copy of the conviction record[16] if the applicant wishes to

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[15] Attorneys have different opinions as to whether the IHRA requires the *interactive assessment* outlined in 775 ILCS 5/2-103.1(c), which includes preliminary and final notices, when a disqualifying offense listed in 105 ILCS 5/21B-80 is found in a conviction record; **consult the board attorney for guidance on this issue.**

[16] The IHRA requires at least five business days for the applicant to dispute the accuracy of the conviction record, but the Ill. Uniform Conviction Information Act (UCIA) provides the applicant seven working days from of receipt of the copy of the conviction information to notify the district if the information is inaccurate or incomplete. 20 ILCS 2635/7(A)(2). This procedure accommodates the longer timeline of the UCIA.

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dispute the accuracy of the conviction record and/or submit evidence in mitigation, such as rehabilitation. 775 ILCS 5/2-103.1(C)(1) and (2). See exhibit 5:30-AP2, E1, *Notice of Preliminary Hiring Decision Based on Conviction Record*, for a sample letter template.

Note: Evidence of rehabilitation may include education, training, stable employment, family and community involvement, and recovery from substance abuse. For more information, see *EEOC Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decision under Title VII of the Civil Rights Act*, at: www.eeoc.gov/laws/guidance/enforcement-guidance-consideration-arrest-and-conviction-records-employment-decisions.

iii. When the final decision disqualifies the applicant based on the conviction record, provides a second written notice to the applicant that contains: (1) notice of the disqualifying conviction(s) that are the basis for the final decision and the District's reasoning for the disqualification; (2) any existing procedure the employer has for the applicant to challenge the decision or request reconsideration (this is not required)[17]; and (3) the right to file a charge with the IDHR. 775 ILCS 5/2-103.1(C)(3). See exhibit 5:30-AP2, E2, *Notice of Final Hiring Decision Based on Conviction Record*, for a sample letter template.

d. The Superintendent or designee, or the Regional Superintendent, or as applicable the entity that provides background checks for public schools, notifies the State Superintendent of education in writing[18] within 10 business days[19] after receiving information of a *pending* criminal charge for an offense set forth in 105 ILCS 5/21B-80. Required by 105 ILCS 5/10-21.9(e).
Note: For substitute teachers, the Superintendent will need to ensure that the District performs these checks. Contact the Board Attorney and/or ISBE regarding the validity of a *certificate of authorization*, if a substitute teacher presents one. From 1-1-11 through 7-1-11, the Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever was appropriate, was allowed to issue *certificates of authorization* to substitute teachers. Issuance of a *certificate of authorization* was proof that the substitute teacher applicant had met all of the requirements to substitute teach in the educational service region; i.e., a fingerprint-based criminal history records check, a physical examination, and a negative tuberculin test. Because P.A. 97-607 deleted *certificates of authorization*, substitute teachers no longer receive them because they no longer exist.

e. For individuals student teaching or beginning a required internship, the Superintendent or designee ensures that the individual completes the required forms, authorizations, and provides payment to the District for the costs of completing a complete criminal history records check prior to student teaching or beginning a required internship (105 ILCS 5/10-21.9(g) and Board policy 5:260, *Student Teachers*). For more information, see also ISBE's non-regulatory

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[17] Consult the board attorney for advice about whether policy 2:260, *Uniform Grievance Procedure*, should be included in the final decision letter for new applicants and/or existing employees. That policy is limited to students, parents/guardians, employees, or community members that want to file a complaint regarding the district's alleged violation of a constitutional right, statute, or board policy.

[18] 105 ILCS 5/10-21.9(e) requires written notice for *convictions*. While notice for *pending* criminal charges is not required to be "in writing," for ease of use, consistency in administration, alignment with the requirement to provide written notice for *convictions*, and best practices this sample text states the State Superintendent will also be notified of *pending* criminal charges in writing. Consult the board attorney for further guidance.

[19] 105 ILCS 5/10-21.9(e) does not state whether the notice requirement is *calendar days* or *business days*. Support for it being *business days* is found later in 105 ILCS 5/10-21.9(e), which requires that notice for *convictions* be provided within 15 business days.

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guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, available at: www.isbe.net/Documents/guidance_chr.pdf.

2. Screen of the Statewide offender databases upon hire and every five years thereafter that an individual remains employed by the District. 105 ILCS 5/10-21.9(a-5), (a-6), amended by P.A. 102-552. The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, performs a screen for each applicant of:
    a. The Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, as authorized by the Sex Offender Community Notification Law (730 ILCS 152/ et seq.), and
    b. The Statewide Murderer and Violent Offender Against Youth Registry https://isp.illinois.gov/MVOAY/Disclaimer, as authorized by the Murderer and Violent Offender Against Youth Registration Act (730 ILCS 154/75-154/105).

The Superintendent or designee, or when the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President, notifies the individual if he or she is identified in the database as a sex offender. Required by 105 ILCS 5/10-21.9(a-5), (a-6), and (b). The Superintendent or designee, or the Regional Superintendent, notifies the State Superintendent of Education in writing within 15 business days, when a database screen finds a *registration* for an individual licensed by ISBE. 105 ILCS 5/21.9(e).

ISP and FBI - The ISP and FBI furnish records of convictions (until expunged), pursuant to the District's request, to the Board President. **Note**: The ISP and FBI must "furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, until expunged, to the president of the school board…". See 105 ILCS 5/10-21.9(a) and (g). 20 ILCS 2630/3.3 establishes authority for the ISP to collect fees from the District if the Board wishes to participate in a Federal *Rap Back Service*. Rap Back Service is a capability of the FBI's Next Generation Identification (NGI) system that provides authorized agencies notification of criminal activity and, in limited cases, of civil activity, that occurs after the initial processing and retention of criminal or civil transactions, e.g., an initial fingerprint-based criminal history records check. The Board may determine that it wants to participate. Participation includes ISP submitting fingerprints that the District orders to the FBI Rap Back Service to be retained for the purpose of being searched by future submissions to the FBI Rap Back Service. For a student teacher, the report shall be returned to the Superintendent or designee (see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/Documents/guidance_chr.pdf).

Board President - The School Code requires the Board President to keep a conviction record confidential. The information may only be shared between the Board President, the Superintendent or designee, Regional Superintendent (if the check was requested by the District), State Superintendent of Education, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, the ISP and/or Statewide Sex Offender Registry for clarification purposes, or the Teachers' Retirement System of the State of Illinois (TRS) when the board learns that a teacher has been convicted of a felony. See 105 ILCS 5/10-21.9(b), 105 ILCS 5/21B-10, and 105 ILCS 5/21B-85, amended by P.A. 102-552. For further discussion about the practical implementation issues for the Board President to ensure that a fingerprint-based criminal history records information check and other database screens are initiated and completed prior to employment, see f/n 11 in Board policy 5:30, *Hiring Process and Criteria*.

Regional Superintendent/Suburban Cook County Intermediate Service Center Executive Director - The Superintendent or designee may require the applicant to authorize the Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever is appropriate, to conduct the check when an applicant is (1) seeking employment in more than one District simultaneously as (a) a substitute teacher, (b) a concurrent part-time employee, and/or (c) educational support personnel, or (2) the employee works for a contractor holding contracts with more than one district. The Regional Superintendent or Suburban Cook County Intermediate Service Center Executive Director, whichever is appropriate, also performs a check

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of the Statewide Sex Offender Registry, https://isp.illinois.gov/Sor/Disclaimer, as authorized by the Sex Offender Community Notification Law (730 ILCS 152/115), and the Violent Offender Against Youth Registry, https://isp.illinois.gov/MVOAY/Disclaimer, as authorized by the Murderer and Violent Offender Against Youth Registration Act (730 ILCS 154/75-154/105). See 105 ILCS 5/10-21.9 (a-5), (a-6), and (b), amended by P.A. 102-552.

Contractors - The above requirements for a *complete criminal history records check* apply to all employees and agents of contractors who have direct, daily contact with students. 105 ILCS 5/10-21.9(f). Every contractor with the District shall: (1) make every employee or agent who will have direct, daily contact with students submit to a complete criminal history records check, (2) confirm that it will make those employees available to the District for the criminal history records check, and (3) submit payment for the costs of the check(s) to the District.

Note: The provisions in 105 ILCS 5/10-21.9(f) and (g) apply to employees of contractors who have "direct, daily contact" with students. To be comprehensive and to eliminate uncertainty, this procedure and Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, may require a criminal history records check on *all* employees of contractors who may work in any school building or on school property. Whether the District uses the comprehensive language or the direct language from the School Code, the District, not the contractor, must perform the background checks. Contractors are not authorized under any State or federal law to: (1) conduct the required criminal history background checks; or (2) see the employee's criminal history furnished by the ISP and the FBI.[20] All contracts should also require the contractor to purchase insurance to cover misconduct by their employees and/or an indemnification clause. Additionally, the Superintendent or designee should check insurance coverage to determine whether employees of contractors are covered. See also Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, and administrative procedure 4:60-AP3, *Criminal History Records Check of Contractor Employees*, for the responsibilities of contractors. Last, if the District has received, within the last year, information that concerns the record of conviction and identification as a sex offender of any contractors' employees, the District must provide the information to another school or school district that requests it. 105 ILCS 5/10-21.9(f-5). For more information, see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, available at: www.isbe.net/Documents/guidance_chr.pdf. Unless notified by the individual named in a criminal history records information (CHRI) request or by the ISP that the information furnished in a CHRI report is inaccurate or incomplete, the District cannot be liable for damages to any person to whom the CHRI pertains for actions it reasonably took in reliance on the accuracy and completeness of CHRI report. 20 ILCS 2635/7(A)(3).

District - The District complies with 105 ILCS 5/10-21.9, amended by P.A.s 102-552 and 102-702, and 5/21B-80, amended by P.A. 102-552. It will not knowingly employ a person, or allow a person to work or student teach/complete a required internship (105 ILCS 5/10-21.9(g)) on school grounds, who:

1. Has been convicted of any one or more of the following offenses, until seven years following the end of the sentence[21] for the criminal offense:
    a. Those defined in the Cannabis Control Act, 720 ILCS 550/, except: 720 ILCS 550/4(a), 550/4(b), 550/4(c), 550/5(a), 550/5(b), and any offense for which the holder of a license is placed on probation under the provisions of 550/10 provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.

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[20] See sample administrative procedure 4:60-AP3, *Criminal History Records Check of Contractor Employees*, at f/n 1, for discussion of the impact of 775 ILCS 5/2-103.1 on contractor employees.

[21] *Sentence* includes any period of supervision or probation that was imposed either alone or in combination with a period of incarceration. 105 ILCS 5/21B-80(a), amended by P.A. 102-552.

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b. Those defined in the Ill. Controlled Substances Act, 720 ILCS 570/100 et seq., except: any offense for which the holder of a license is placed on probation under the provisions of 570/410 provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.
c. Those defined in the Methamphetamine Control and Community Protection Act, 720 ILCS 646/, except: any offense for which the holder of a license is placed on probation under the provisions of 646/70 provided that if the terms and conditions of probation required by the court are not fulfilled, the offense is not eligible for this exception.
d. Any attempt to commit any of the offenses listed in (a)-(c) of this section.
e. Any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in Illinois, would have been punishable as one or more of the offenses listed in (a)-(d) of this section.

2. Has been convicted of committing or attempting to commit any one or more of the following offenses:
   a. Attempting to commit, conspiring to commit, soliciting, or committing first-degree murder or any Class X felony.
   b. Attempting to commit, conspiring to commit, soliciting, or committing any offense defined in Article 9 (Homicide) of the Criminal Code of 1961 or the Criminal Code of 2012.
   c. Attempting to commit, conspiring to commit, soliciting, or committing any *sex offense*. Sex offense means any offense defined in:
      i. Sections 11-6 and 11-9 through 11-9.5, inclusive, and 11-30 (if punished as a Class 4 felony) of the Criminal Code of 1961 or the Criminal Code of 2012;
      ii. Sections 11-14.1 through 11-21, inclusive, of the Criminal Code of 1961 or the Criminal Code of 2012;
      iii. Sections 11-23 (if punished as a Class 3 felony), 11-24, 11-25, and 11-26 of the Criminal Code of 1961 or the Criminal Code of 2012; and
      iv. Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-4.9, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-32, 12-33, 12C-45, and 26-4 (if punished pursuant to 26-4(d)(4) or (5)) of the Criminal Code of 1961 or the Criminal Code of 2012.
   d. Any offense committed or attempted in any other state or against the laws of the United States, which if committed or attempted in Illinois, would have been punishable as one or more of the foregoing offenses.
3. Has been found to be the perpetrator of sexual or physical abuse of any minor less than 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987.

Reporting New Hires

The Superintendent or designee shall timely file an IRS Form W-4 or IDES *New Hire Reporting Form* for each newly hired employee with the Ill. Dept. of Employment Security. See 820 ILCS 405/1801.1. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure either the retiring Superintendent or designee performs this task.

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General Personnel

Compliance with the Fair Labor Standards Act [262]

Job Classifications

The Superintendent will ensure that all job positions are identified as either "exempt" or "non-exempt" according to State law and the Fair Labor Standards Act (FLSA) and that employees are informed whether they are "exempt" or "non-exempt."[263] "Exempt" and "non-exempt" employee categories may include certificated and non-certificated job positions. All non-exempt employees, whether paid on a salary or hourly basis, are covered by minimum wage and overtime provisions.

Workweek and Compensation

The workweek for District employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday.[264] Non-exempt employees will be compensated for all hours worked in a workweek including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek even if an employee is scheduled for less than 40 hours.[265] "Overtime" is time worked in excess of 40 hours in a single workweek.

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[262] State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, or terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

The Ill. Minimum Wage Law, 820 ILCS 105/4a, covers all school employees, although many are exempt from overtime requirements. The federal Fair Labor Standards Act (FLSA) (29 U.S.C. §201 et seq.) also covers school employees. The law offering the greatest benefits to employees will control specific issues. However, under both State and federal law, non-exempt employees who work over 40 hours in a single workweek are entitled to overtime pay of a rate not less than one and one-half times the employees' regular rate of pay. 29 U.S.C. §207; 820 ILCS 105/4a.

School districts in several states are experiencing widespread action by non-exempt employees to recoup unpaid overtime wages. Many of these actions have been successful because the school district did not strictly comply with overtime requirements or recordkeeper's requirements. See 29 C.F.R. Part 785 (Hours Worked) and 29 C.F.R. Part 516. (Records to Be Kept by Employers). The U.S. Dept. of Labor (DOL) frequently finds employees misclassified as independent contractors or exempt employees. School officials are strongly encouraged to seek assistance from their attorney when making decisions involving wage and hour issues.

[263] "Exempt" employees are exempt from overtime requirements. An exempt employee, according to Illinois law, is "any employee employed in a bona fide executive, administrative or professional capacity, ... , as defined by or covered by the Federal Fair Labor Standards Act of 1938 and the rules adopted under that Act, as both exist on March 30, 2003, but compensated at the amount of salary specified [in the current rules]." 820 ILCS 105/4a. By referring to the definitions in the former federal rules, the Illinois legislature rejected the DOL's effort to expand the number of employees who are exempt from overtime requirements. To qualify for exemption in Illinois, employees generally must meet certain tests regarding their job duties and be paid on a "salary basis" at not less than the amount specified in 29 C.F.R. Part 541. See www.dol.gov/agencies/whd/overtime/rulemaking for a chart of the salary thresholds. To check compliance, districts should review their list of exempt employees with their attorneys.

[264] Employers must identify the workweek, but may designate any seven-day period. **Boards should ascertain what is currently used as a workweek to avoid inadvertently adopting a policy containing a different designation.** The workweek in this sample policy allows supervisors to adjust employee schedules at the end of the week if an employee was required to work the weekend.

[265] Setting the workweek at 40 hours avoids having to pay an employee additional "straight time" compensation for the extra hours up to 40.

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Overtime

A non-exempt employee shall not work overtime without his or her supervisor's express approval.[266] All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the Superintendent or designee's written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. Accurate and complete time sheets of actual hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Superintendent. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to Board policy 5:310, *Compensatory Time-Off*. [267]

Suspension Without Pay

No exempt employee shall have his or her salary docked, such as by an unpaid suspension, if the deduction would cause a loss of the exempt status.[268] Licensed employees may be suspended without pay in accordance with Board policy 5:240, *Suspension*. Non-licensed employees may be suspended without pay in accordance with Board policy 5:290, *Employment Termination and Suspensions*.

Implementation [269]

The Superintendent or designee shall implement the policy in accordance with the FLSA, including its required notices to employees. In the event of a conflict between the policy and State or federal law, the latter shall control.

LEGAL REF.: 820 ILCS 105/4a.
29 U.S.C. §201 et seq., Fair Labor Standards Act; 29 C.F.R. Parts 516, 541, 548, 553, 778, and 785.

CROSS REF.: 5:240 (Suspension), 5:290 (Employment Termination and Suspensions), 5:310 (Compensatory Time-Off)

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[266] This policy requires a supervisor's express approval as a best practice. However, employers will also be liable for work time when the employer knows or has reason to know work is continuing on or offsite. See 29 C.F.R. §785.11 and sample administrative procedure 5:35-AP3, *Compensable Work Time for Non-Exempt Employees Under the FLSA*. Employees must be compensated for all time worked, even if it is unauthorized overtime. However, employees who intentionally work unauthorized overtime may be subject to disciplinary action.

[267] Optional. The FLSA regulates the use of *comp-time*. 29 C.F.R. §§553.22-553.28. Before offering comp-time, a board must have a compensatory time-off policy or the topic must be covered in an applicable collective bargaining agreement. See sample policy 5:310, *Compensatory Time-Off* and sample exhibit 5:310-E, *Agreement to Receive Compensatory Time-Off*.

[268] Docking an exempt employee's salary (e.g., for a disciplinary suspension) may result in the loss of the exemption unless the deduction was specifically authorized. Teachers, however, are not covered by this restriction.

[269] The FLSA is administered by the Wage and Hour Division of the DOL. Its website contains compliance guidance, posters, and e-tools (www.dol.gov/WHD/flsa/index.htm).

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General Personnel

Administrative Procedure - Fair Labor Standards Act Exemptions [22]

Important - School officials should contact the Board Attorney for application of the Fair Labor Standards Act to specific situations. The information contained in this procedure, and any information provided in the hyperlinks contained in it, should be confirmed with the Board Attorney before its application to a specific situation.

Overview

- An exempt employee in Illinois is "any employee employed in a bona fide executive, administrative or professional capacity, … as defined by or covered by the Federal Fair Labor Standards Act of 1938 and the rules adopted under that Act, as both exist on March 30, 2003, but compensated at the amount of salary specified [current federal rules]." 820 ILCS 105/4a.
- U.S. Dept. of Labor (DOL) rules set the minimum salary threshold for an employee to qualify as an exempt executive, administrative or professional employee. 29 C.F.R. §541.600.
- Guidance on the DOL's website includes:
  Salary thresholds: www.dol.gov/agencies/whd/overtime/rulemaking
  Exemptions from overtime pay provisions: www.dol.gov/agencies/whd/compliance-assistance/handy-reference-guide-flsa#8
  Exempt vs. non-exempt status of a particular job: www2.illinois.gov/idol/Laws-Rules/FLS/Pages/overtime-exemption.aspx

FLSA Exemption Category	Staff Positions
Non-covered persons	Independent contractors: www.dol.gov/agencies/whd/fact-sheets/13-flsa-employment-relationship Volunteers: www.dol.gov/sites/dolgov/files/WHD/legacy/files/FOH_Ch10.pdf Student teachers who: (1) receive academic credit for their work experience, (2) do not displace regular employees, (3) work under close supervision, and (4) are not entitled to a job at the end of their training (www.dol.gov/sites/dolgov/files/WHD/legacy/files/2006_04_06_12_FLSA.pdf)
Executive employees	Superintendent Associate/Assistant Superintendents Directors Supervisors Other department managers

[22] **This sample procedure must be customized to reflect the positions in the District and the actual duties performed.** The list should be reviewed by the board attorney. Problematic employment positions requiring careful analysis include: (1) cafeteria, transportation, maintenance, and janitorial supervisors who primarily perform manual or non-office work, and (2) executive assistants "e.g., the superintendent's secretary" who primarily spend their time doing secretarial work, not managerial work.

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FLSA Exemption Category	Staff Positions
Administrative employees	Building Principals Assistant Principals Data systems analysts or computer programmers involved in obtaining solutions to complex business problems: www.dol.gov/agencies/whd/fact-sheets/17e-overtime-computer Other certificated administrative staff
Professional employees	Teachers Counselors Registered nurses Media coordinators Other non-supervising certificated staff
Non-exempt employees	Secretaries (includes administrative assistants) Receptionists Bookkeepers Cafeteria workers Crossing guards Before/after school program workers Bus drivers/transportation workers Computer lab managers Custodians Maintenance workers Pre-school workers (whose primary duty is to care for physical needs of children rather than teaching; does *not* include licensed special education early childhood teachers) Teacher aides, paraprofessionals, and assistants

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General Personnel

Abused and Neglected Child Reporting [270]

Any District employee who suspects or receives knowledge that a student may be an abused or neglected[271] child or, for a student aged 18 through 22, an abused or neglected individual with a disability[272], shall

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[270] State or federal law controls this policy's content. The Abused and Neglected Child Reporting Act (ANCRA) (325 ILCS 5/) requires *education personnel* to immediately report to DCFS when they have reasonable cause to believe a child known to them in their professional or official capacities may be abused or neglected; *education personnel* includes school personnel (including administrators and certified and non-certified school employees) and educational advocates assigned to a child in accordance with the School Code. 325 ILCS 5/4(a)(4). *Education personnel* also includes board members; however, ANCRA does not require them to directly report to DCFS and instead states that a board member "shall direct or cause the school board to direct the superintendent" to report to DCFS. 325 ILCS 5/4(a)(4), (d). See the **Special School Board Member Responsibilities** subhead, below, and sample policy 2:20, *Powers and Duties of the School Board; Indemnification.*

If the report involves an *adult student with a disability*, employees should expect DCFS to instruct them to call the Ill. Dept. of Human Services Office (DHS) office of the Inspector General's statewide 24-hour toll-free telephone number at 1-800-368-1463. 325 ILCS 5/4.4a and 20 ILCS 1305/1-17(b), amended by P.A. 103-76. Reports involving an adult student with a disability may be made directly to DHS; however, for simplicity, and to preserve a superintendent's duty to disclose certain reports involving an employee or former district employee (see discussion in f/n 19 below) and the immunity for such disclosures, the sample policy directs the initial phone call to DCFS. The Dept. of Human Services Act (DHS Act) (20 ILCS 1305/) allows a *required reporter* four hours to report after the initial discovery of the incident, allegation, or suspicion of any one or more of the following: mental abuse, physical abuse, sexual abuse, neglect, or financial exploitation. 20 ILCS 1305/1-17(k)(1). Only employees are required reporters. 20 ILCS 1305/1-17(a).

Any person required by law to report abuse and neglect who willfully fails to report is guilty of a Class A misdemeanor. 325 ILCS 5/4(m) and 20 ILCS 1305/1-17(k)(1).

A teaching license may be suspended or revoked for willful or negligent failure to report suspected child abuse or neglect as required by law and for *sexual misconduct*. 105 ILCS 5/21B-75, amended by P.A.s 102-552 and 102-702.

District employees who make a report in good faith receive immunity, except in cases of willful or wanton misconduct. See 325 ILCS 5/4 and 9. Further, for the purpose of any proceedings, civil or criminal, good faith of the person making the report is presumed. Id.

Every two years, each district within an Illinois county served by an accredited Children's Advocacy Center (CAC) must review its sexual abuse investigation policies and procedures to ensure consistency with 105 ILCS 5/22-85. 105 ILCS 5/10-20.71. See sample policy 7:20, *Harassment of Students Prohibited.*

[271] ANCRA covers abuse and neglect of children. 325 ILCS 5/3. The DHS Act covers abuse and neglect of adult students with a disability. 20 ILCS 1305/1-17(b), amended by P.A. 103-76. Abuse may be generally understood as any physical or mental injury or sexual abuse inflicted on a child or adult student with a disability other than by accidental means or creation of a risk of such injury or abuse by a person who is responsible for the welfare of a child or adult student with a disability. Neglect may be generally understood as abandoning a child or adult student with a disability or failing to provide the proper support, education, medical, or remedial care required by law by one who is responsible for the child's or adult student with a disability's welfare.

Abuse covered by ANCRA also includes *grooming* as defined in the Ill. Criminal Code of 2012 (720 ILCS 5/11-25). 325 ILCS 5/3(i), added by P.A. 102-676 (a/k/a *Faith's Law*).

The School Code goes further and prohibits school employees from engaging in *grooming behaviors* and *sexual misconduct*. 105 ILCS 5/10-23.13(b), amended by P.A. 102-610 (a/k/a *Erin's Law*); 105 ILCS 5/22-85.5(c), added by P.A. 102-676 (a/k/a *Faith's Law*). To streamline implementation, sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, defines prohibited *grooming behaviors* to include *sexual misconduct* and it explicitly prohibits employees from engaging in *grooming*, *grooming behaviors*, and *sexual misconduct*. While it is possible for low-level *grooming behaviors* and/or *sexual misconduct* to not amount to *grooming* prohibited by ANCRA, best practice is to report suspected *grooming behaviors* and *sexual misconduct* to DCFS.

[272] State child and disabled adult protection laws define the same class of individuals differently, but with the same goal: to protect an adult student with a disability, not living in a DCFS licensed facility, who is still finishing school with an Individual Education Plan (IEP). The DHS Act defines "adult student with a disability" as an adult student, age 18 through 21, inclusive (through the day before the student's 22nd birthday), with an IEP other than a resident of a facility licensed by DCFS. 20 ILCS 1305/1-17(b), amended by P.A. 103-76. However, 105 ILCS 5/14-1.02, amended by P.A. 102-172, provides that a student who turns 22 years old during the school year shall be eligible for IEP services through the end of the school year. This statutory definition is the basis for this sample policy's language.

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immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY).[273] Any District employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Superintendent or Building Principal that a report has been made.[274] The Superintendent or Building Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement.[275] *Negligent failure to report* occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS. [276]

Any District employee who discovers child pornography on electronic and information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's CyberTipline 1-800-THE-LOST (1-800-843-5678) or online at https://report.cybertip.org or www.missingkids.org. The Superintendent or Building Principal shall also be promptly notified of the discovery and that a report has been made. [277]

For elementary districts, delete the following phrase from the first sentence: "or, for a student aged 18 through 22, an abused or neglected individual with a disability, ."

[273] 325 ILCS 5/7, amended by P.A. 103-624, eff. 1-1-25. For a board that wants to include what a DCFS report should contain, an optional sentence follows:

The report shall include, if known:

1. The name and address of the child, parent/guardian names, or other persons having custody;
2. The child's age;
3. The child's condition, including any evidence of previous injuries or disabilities; and
4. Any other information that the reporter believes may be helpful to DCFS for its investigation.

When two or more mandated reporters who work within the same workplace share a reasonable cause to believe that a student may be an abused or neglected child, one of them may be designated to make a single report. 325 ILCS 5/4(b). The report must include the name(s) and contact information for the other mandated reporter(s). Id.

[274] ANCRA states that mandated reporters "may also notify the person in charge of [the] school[.]" 325 ILCS 5/4(e). This sample policy makes the report to the superintendent or building principal mandatory to keep the administration informed. The administration may not force the staff member to change or modify his or her report.

[275] Optional. The sample policy makes coordination with DCFS, the SRO, and local law enforcement a step in the process of reporting, so the local agencies and school district are better able to prevent and manage the risks school officials and parents/guardians face when a DCFS report has been made, e.g., situations where parents/guardians, upon learning a DCFS report has been made involving their child(ren), commit an act of self-harm in response to the information.

For school districts in DuPage County, the DuPage County State's Attorney (SAO), Regional Office of Education (ROE), Police Dept. (PD), and DCFS created a *Model Policy Reporting Child Abuse and Neglect for School Officials in DuPage County*, at: www.dupageroe.org/wp-content/uploads/Mandated_Reporting.pdf. Consult the board attorney about this reporting policy – it does not account for legislative changes made to ANCRA since August 2010 and its intent is for school officials to immediately inform the SAO that a report to DCFS has been made to allow the SAO to investigate and prevent evidence spoliation. **Note:** The DuPage SAO, ROE, and PD lack authority under ANCRA over school officials to enforce compliance with this "model reporting policy;" only DCFS has the authority under ANCRA to enforce penalties under ANCRA, not the "model reporting policy." The DuPage SAO, ROE, and PD did not consult school officials in the creation of its "model reporting policy."

[276] 105 ILCS 5/10-23.12(c) (all district employees); 105 ILCS 5/21B-75(b) (teachers).

[277] ANCRA requires an electronic and information technology equipment worker or the worker's employer to report a discovery of child pornography depicted on an item of electronic and information technology equipment. 325 ILCS 5/4.5(b). Consult the board attorney to determine whether any district employees fit the definition of an *electronic and information technology worker*, i.e., are "persons who in the scope and course of their employment or business install, repair, or otherwise service electronic and information technology equipment for a fee."

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Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students. [278]

Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Erin's Law* Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect. [279]

All District employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date. [280]

The paragraph exceeds the State requirements by requiring *all* district employees to report a discovery of child pornography on electronic and information technology equipment. This furthers the National Center for Missing and Exploited Children's public policy goal of "empowering the public to take immediate and direct action to enforce a zero tolerance policy regarding child sexual exploitation."

Similar to school personnel who are mandated reporters, electronic and information technology equipment workers and their employers have broad immunities from criminal, civil, or administrative liabilities when they report a discovery of child pornography as required under 325 ILCS 5/4.5(b), except for willful or wanton misconduct, e.g., knowingly filing a false report. Failure to report a discovery of child pornography is a business offense subject to a fine of $1001. 325 ILCS 5/4.5(e).

[278] 720 ILCS 5/12C-50.1(b) creates a duty for *school officials* to report hazing. The term *school official* includes all school employees and volunteer coaches. 720 ILCS 5/12C-50.1(a). The duty to report hazing is triggered only when the employee/volunteer is fulfilling his or her responsibilities as a school official and observes hazing which results in bodily harm. 720 ILCS 5/12C-50.1(b). A report must be made to *supervising educational authorities*, which is not defined in the Act. Id. Common sense, however, would require the individual witnessing hazing to report it to the building principal or superintendent. Failure to report hazing is a Class B misdemeanor. 720 ILCS 5/12C-50.1(c). Failure to report hazing that resulted in death or great bodily harm is a Class A misdemeanor. Id. Sample administrative procedure 7:190-AP1, *Hazing Prohibited*, uses the same definition of *hazing*; this definition is based on 720 ILCS 5/12C-50, amended by P.A. 103-765, eff. 1-1-25.

[279] The drill during such training should be: "If in question, report."

[280] ANCRA requires staff members, within three months of employment, to complete mandated reporter training, including a section on implicit bias and racial and ethnic sensitivity. 325 ILCS 5/4(j), amended by P.A. 102-604. This training must be completed again at least every three years. Id. The initial ANCRA three-month training requirement applies to the first time staff engage in their professional or official capacity. Id. While the law allows an extension to six months, it is unclear when such an extension is permissible. Consult the board attorney for guidance. As a best practice, to ensure compliance with the requirement in 105 ILCS 5/22-85(c) that mandated reporters annually review Ill. State Board of Education (ISBE) materials regarding notification of DCFS (see f/n 16, below), and to ease the administrative burden to track employee training schedules, a district may consider requiring annual training for all employees.

To reduce liability and align with best practices, ANCRA training for existing district employees appears prudent; however, consult the board attorney about:

1. Whether mandating existing employees to participate in ANCRA training is an item on which collective bargaining may be required. Any policy that impacts upon wages hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.
2. How to comply with both the new ANCRA training requirements and whether compliance with them would also satisfy the School Code's more limited district-provided training requirement discussed in f/n 10 above.

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3. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors (including *sexual misconduct* as defined in *Faith's Law*)[281], and boundary violations as required by law and policy 5:100, *Staff Development Program.*[282]

Alleged Incidents of Sexual Abuse: Investigations[283]

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.[284]

If a District employee reports an alleged incident of sexual abuse to DCFS[285] and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC).[286] The Superintendent or designee will implement procedures to coordinate with the CAC.

DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation.[287] The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with Board policy 7:20, *Harassment of Students Prohibited.*

Special Superintendent Responsibilities

The Superintendent shall execute the requirements in Board policy 5:150, *Personnel Records*, whenever another school district requests a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS.[288]

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[281] Sexual misconduct under *Faith's Law* is defined in 105 ILCS 5/22-85.5(c), added by P.A. 102-676. See f/n 2, above, regarding the inclusion of sexual misconduct in the definition of *grooming behaviors* set forth in sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest.*

[282] 105 ILCS 5/10-23.13, amended by P.A. 102-610 (a/k/a *Erin's Law*). For additional *Erin's Law* requirements and definitions, see sample policies and the f/ns in 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; and 6:60, *Curriculum Content.*

[283] Delete this subhead if your school district is not within a county served by an accredited CAC. 105 ILCS 5/22-85 governs the investigation of an *alleged incident of sexual abuse* of any child within any Illinois counties served by a CAC. For a map of accredited CACs, and to identify a CAC that may serve your district, see www.childrensadvocacycentersofillinois.org/about/map. The law is silent about investigations in counties without CACs.

[284] Though 105 ILCS 5/22-85(b) defines *alleged incident of sexual abuse*, its definition is circular, using the term *sexual abuse* without defining what that means. To provide boards with clarity, the definition of *sexual abuse* used in the Ill. Criminal Code of 2012 is used.

[285] 105 ILCS 5/22-85(c) provides that if a mandated reporter within a school has knowledge of an alleged incident of sexual abuse, the reporter must call the DCFS hotline immediately after obtaining the minimal information necessary to make a report, including the names of the affected parties and the allegations. It further requires ISBE to make available materials detailing the information necessary to enable notification to DCFS of an alleged incident of sexual abuse, and that all mandated reporters annually review ISBE's materials.

[286] 105 ILCS 5/22-85(d).

[287] 105 ILCS 5/22-85(j), (k).

[288] ANCRA requires a superintendent, upon being requested for a reference concerning an employee or former employee, to disclose to the requesting school district the fact that a district employee has made a report involving the conduct of the applicant or caused a report to be made to DCFS. 325 ILCS 5/4(d). When a report involves an adult student with a disability, DCFS must instruct mandated reporters making these reports to call the DHS Office of the Inspector General's statewide 24 hour toll-free telephone number: 1-800-368-1463 (325 ILCS 5/4.4a) to make a report under the DHS Act.

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When the Superintendent has reasonable cause to believe that a license holder (1) committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA or an act of sexual misconduct under *Faith's Law*, and (2) that act resulted in the license holder's dismissal or resignation from the District, the Superintendent shall notify the State Superintendent and the Regional Superintendent in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged.[289] The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder. [290]

The Superintendent shall develop procedures for notifying a student's parents/guardians when a District employee, contractor, or agent is alleged to have engaged in sexual misconduct with the student as defined in *Faith's Law*. The Superintendent shall also develop procedures for notifying the student's parents/guardians when the Board takes action relating to the employment of the employee, contractor, or agent following the investigation of sexual misconduct. Notification shall not occur when the employee, contractor, or agent alleged to have engaged in sexual misconduct is the student's parent/guardian, and/or when the student is at least 18 years of age or emancipated. [291]

The Superintendent shall execute the recordkeeping requirements of *Faith's Law*. [292]

Special School Board Member Responsibilities

Each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse. [293]

The DHS Act (20 ILCS 1305/1-17(l)) then requires a determination of whether a report involving an adult student with a disability should be investigated under it or the Abuse of Adults with Disabilities Intervention Act (20 ILCS 2435), however that Act was repealed by P.A. 99-049 (eff. 7-1-13). The DHS Act does not outline a duty for the superintendent, upon being requested for a reference concerning an employee or former employee, to disclose to the requesting school district the fact that a district employee has made a report involving the conduct of the applicant or caused a report to be made to DHS involving an adult student with a disability.

Given the public policy behind the amendments to 325 ILCS 5/4, a reasonable interpretation of the law is that the superintendent's duty to disclose now involves DHS reports concerning adult students with disabilities. However, with no mechanism requiring DHS to report back to the superintendent a *non-substantiated report* (DHS version of a DCFS *unfounded* report), a superintendent's duty to disclose cannot end. Consult the board attorney about managing the duty to disclose reports that involve adult students with disabilities when DCFS redirects the reporter to DHS. For more information, see sample policy 5:150, *Personnel Records*.

See also f/n 4 of sample policy 5:150, *Personnel Records*, discussing the Elementary and Secondary Education Act's (ESEA) (20 U.S.C. §7926) requirement that school policies must explicitly prohibit school districts from providing a recommendation of employment for an employee, contractor, or agent that a district knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law.

[289] Alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center Executive Director."

[290] 105 ILCS 5/10-21.9(e-5), amended by P.A.s 102-552 and 102-702, requires these notifications and provides superintendents immunity from any liability, whether civil or criminal or that otherwise might result by complying with the statute.

[291] 105 ILCS 5/22-85.10, added by P.A. 102-702. See sample administrative procedure 5:90-AP2, *Parent/Guardian Notification of Sexual Misconduct*.

[292] 105 ILCS 5/22-94(e), added by P.A. 102-702. See sample administrative procedure 5:150-AP, *Personnel Records*.

[293] 325 ILCS 5/4(d), amended by P.A. 103-22. This statute makes board members mandatory child abuse reporters "to the extent required in accordance with other provisions of this section expressly concerning the duty of school board members to report suspected child abuse." Thus, a board member's duty is "to direct the superintendent or other equivalent school administrator to comply with the Act's requirements concerning the reporting of child abuse" whenever an "allegation is raised to a school board member during the course of an open or closed school board meeting that a child who is enrolled in the school district of which the person is a board member is an abused child." Of course, any board member with reason to doubt that a report was or will be made should directly contact DCFS.

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If the Board determines that any District employee, other than an employee licensed under 105 ILCS 5/21B, has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Board may dismiss that employee immediately.[294]

When the Board learns that a licensed teacher was convicted of any felony, it must promptly report it to the State agencies listed in Board policy 2:20, *Powers and Duties of the School Board; Indemnification*.[295]

LEGAL REF.: 20 U.S.C. §7926, Elementary and Secondary Education Act.
105 ILCS 5/10-21.9, 5/10-23.13, 5/21B-85, 5/22-85.5, and 5/22-85.10.
20 ILCS 1305/1-1 et seq., Department of Human Services Act.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/12C-50.1, Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the School Board; Indemnification), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

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[294] 105 ILCS 5/10-23.12(c). See f/n 7, above, and f/n 3 in sample policy 2:20, *Powers and Duties of the School Board; Indemnification*.

[295] 105 ILCS 5/21B-85(a) and (b), amended by P.A. 102-552. Because felony charges often arise out of abuse and neglect investigation, this board duty is listed here for convenience. See the discussion in the f/ns tied to these duties in sample policy 2:20, *Powers and Duties of the School Board; Indemnification*.

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General Personnel

Employee Ethics; Code of Professional Conduct; and Conflict of Interest [296]

All District employees are expected to maintain high standards in their job performance, demonstrate integrity and honesty, be considerate and cooperative, and maintain professional and appropriate relationships with students, parents/guardians, staff members, and others.

The Superintendent or designee shall provide this policy to all District employees and students and/or parents/guardians in their respective handbooks, and ensure its posting on the District's website, if any.[297]

Professional and Appropriate Conduct

Professional and appropriate employee conduct are important Board goals that impact the quality of a safe learning environment and the school community, increasing students' ability to learn and the District's ability to educate. To protect students from sexual misconduct by employees, and employees from the appearance of impropriety, State law also recognizes the importance for District employees to constantly maintain professional and appropriate relationships with students by following established expectations and guidelines for employee-student boundaries. Many breaches of employee-student boundaries do not rise to the level of criminal behavior but do pose a potential risk to student safety and impact the quality of a safe learning environment. Repeated violations of employee-student boundaries may indicate the grooming of a student for sexual abuse. As bystanders, employees may know of concerning behaviors that no one else is aware of, so their training on: (1) preventing, recognizing, reporting, and responding to child sexual abuse and grooming behavior; (2) this policy; and (3) federal and state reporting requirements is essential to maintaining the Board's goal of professional and appropriate conduct. [298]

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[296] The State Officials and Employees Ethics Act (SOEEA) (5 ILCS 430/), *Erin's Law* (105 ILCS 5/10-23.13, amended by P.A. 102-610), and *Faith's Law* (105 ILCS 5/22-85.5, added by P.A. 102-676), require a policy on subjects covered in this sample policy; State and federal law controls its content.

This policy contains items on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy largely cites 105 ILCS 5/22-85.5, a small portion of the *Faith's Law* package. *Faith's Law* is the entirety of Public Act 102-676, which closed significant legal loopholes related to combating grooming by: (1) broadening the definition of grooming prohibited by the Criminal Code of 2012 (720 ILCS 5/11-25); (2) authorizing the Ill. Dept. of Children and Family Services to investigate grooming allegations under the Abused and Neglected Child Reporting Act (325 ILCS 5/3); and (3) requiring the Ill. State Board of Education (ISBE) to develop and maintain a resource guide for students, parents/guardians, and teachers about sexual abuse response and prevention resources available in their community (105 ILCS 5/2-3.188). ISBE's *Sexual Abuse Response and Prevention Resource Guide* (June 2023) is at: www.isbe.net/Documents/Faiths-Law-Resource-Guide.pdf. Districts must notify parents/guardians about the ISBE resource guide at the beginning of each school year and may do so through the student handbook. See sample exhibit 7:190-E2, *Student Handbook Checklist*. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with PRESS material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh. A *Faith's Law* trailer bill, P.A. 102-702, further combats grooming by amending School Code provisions related to district and third-party contractor hiring practices, suspension and revocation of employee licenses, and criminal history records checks for prospective and current employees.

[297] Required by 105 ILCS 5/22-85.5(e), added by P.A. 102-676. See sample exhibits 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, and 7:190-E2, *Student Handbook Checklist*. See the IPA MSH at: www.ilprincipals.org/msh.

[298] See 105 ILCS 5/22-85.5(b), added by P.A. 102-676.

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The Superintendent or designee shall identify employee conduct standards[299] that define appropriate employee-student boundaries, provide training about them, and monitor the District's employees for violations of employee-student boundaries. The employee conduct standards will require that, at a minimum:

1. Employees who are governed by the *Code of Ethics for Illinois Educators*, adopted by the Ill. State Board of Education (ISBE), will comply with its incorporation by reference into this policy.[300]
2. Employees are trained on educator ethics, child abuse, grooming behaviors, and employee-student boundary violations as required by law and Board policies 2:265, *Title IX Grievance Procedure*; 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:90, *Abused and Neglected Child Reporting*; and 5:100, *Staff Development Program*.[301]
3. Employees maintain professional relationships with students, including maintaining employee-student boundaries based upon students' ages, grade levels, and developmental levels and following District-established guidelines for specific situations, including but not limited to:[302]
    a. Transporting a student;
    b. Taking or possessing a photo or video of a student; and
    c. Meeting with a student or contacting a student outside the employee's professional role.
4. Employees report prohibited behaviors and/or boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.[303]

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[299] Sample conduct standards are contained in administrative procedure 5:120-AP2, *Employee Conduct Standards*. These items are subjects of mandatory collective bargaining. Consult the board attorney for advice before establishing them.

[300] 105 ILCS 5/22-85.5(d)(1), added by P.A. 102-676; 23 Ill.Admin.Code Part 22. 105 ILCS 5/22-85.5(d)(1) requires boards to incorporate ISBE's *Code of Ethics for Illinois Educators* in their policies. Prior to this law requiring boards to incorporate the *Code* by reference, this policy incorporated it to demonstrate a board's commitment to the *Code's* principles, potentially allowing a board to enforce the *Code* independently from any action taken by the State Superintendent.

[301] 105 ILCS 5/22-85.5(d)(5), added by P.A. 102-676, requires districts to reference required employee training related to child abuse and educator ethics in its employee professional conduct policy.

105 ILCS 5/10-22.39(b-35), added by P.A. 103-542, requires that beginning 7-1-24, each board conduct in-service training on educator ethics and responding to child sexual abuse and grooming behavior including, but not limited to, teacher-student conduct, school employee-student conduct, and evidence-informed training on preventing, recognizing, reporting, and responding to child sexual abuse and grooming as outlined in 105 ILCS 5/10-23.13 (a/k/a *Erin's Law*) for all teachers, administrators, and school support personnel. These trainings will be most effective when the in-service curriculum reflects local conditions and circumstances. While the School Code only requires the in-service, the requirement presents an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Each board may then want to have a conversation with the superintendent and direct him or her to develop a curriculum for the in-service that instructs all district employees to maintain boundaries and act appropriately, professionally, and ethically with students. See discussion in f/n 4 in 5:100, *Staff Development Program*. After its discussion of these issues, the board may have further expectations and may choose to reflect those expectations here.

105 ILCS 5/10-23.13(c), amended by P.A. 102-610, requires districts to provide evidenced-informed training for school personnel on preventing, recognizing, reporting, and responding to child sexual abuse and grooming behavior by no later than January 31 of each year. See sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, for further detail about the training requirements.

325 ILCS 5/4(j), amended by P.A. 102-604, requires district employees to complete mandated reporter training within three months of initial employment and at least every three years thereafter.

775 ILCS 5/2-109 requires districts to provide annual workplace sexual harassment prevention training to all employees. See f/n 4 in sample policy 5:20, *Workplace Harassment Prohibited*, for further detail about the training requirements.

[302] Required by 105 ILCS 5/10-23.13(b), amended by P.A. 102-610; 105 ILCS 5/22-85.5(d)(3), added by P.A. 102-676. Sample expectations and guidelines are contained in sample exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*.

[303] Required by 105 ILCS 5/22-85.5(d)(4), added by P.A. 102-676. See also 105 ILCS 5/10-23.13(b), amended by P.A. 102-610.

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5. Discipline up to and including dismissal will occur for any employee who violates an employee conduct standard or engages in any of the following: [304]

   a. Violates expectations and guidelines for employee-student boundaries. [305]

   b. Sexually harasses a student. [306]

   c. Willfully or negligently fails to follow reporting requirements of the Abused and Neglected Child Reporting Act (325 ILCS 5/),[307] Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), or the Elementary and Secondary Education Act (20 U.S.C. § 7926). [308]

   d. Engages in grooming as defined in 720 ILCS 5/11-25. [309]

   e. Engages in grooming behaviors. Prohibited grooming behaviors[310] include, at a minimum, *sexual misconduct*. *Sexual misconduct*[311] is any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee with direct contact with a student, that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include, but are not limited to:

      i. A sexual or romantic invitation.
      ii. Dating or soliciting a date.
      iii. Engaging in sexualized or romantic dialog.
      iv. Making sexually suggestive comments that are directed toward or with a student.
      v. Self-disclosure or physical exposure of a sexual, romantic, or erotic nature.
      vi. A sexual, indecent, romantic, or erotic contact with the student.

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[304] Required by 105 ILCS 5/22-85.5(f), added by P.A. 102-676.

[305] Sample expectations and guidelines are contained in sample exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*. These items are subjects of mandatory collective bargaining. Consult the board attorney for advice before establishing them.

[306] The Ill. Human Rights Act makes it a civil rights violation to fail to take remedial action, or to fail to take appropriate disciplinary action, against any employee when the district knows that the employee committed or engaged in sexual harassment of a student. 775 ILCS 5/5A-102, amended by P.A. 103-472. Sexual harassment (also known as sex-based harassment) of a student is also prohibited by sample policies 2:265, *Title IX Grievance Procedure*, and 7:20, *Harassment of Students Prohibited*. Sexual harassment of an employee is also prohibited by sample policies 2:265, *Title IX Grievance Procedure*, and 5:20, *Workplace Harassment Prohibited*.

[307] 325 ILCS 5/4(a)(4); 105 ILCS 5/10-23.12(c) (all district employees); 105 ILCS 5/21B-75(b) (teachers), amended by P.A.s 102-552 and 102-702.

[308] Required by 105 ILCS 5/22-85.5(d)(4), added by P.A. 102-676.

[309] 720 ILCS 5/11-25(a), amended by P.A. 102-676, defines *grooming* as follows: "A person commits grooming when he or she knowingly uses a computer on-line service, Internet service, local bulletin board service, or any other device capable of electronic data storage or transmission, performs an act in person or by conduct through a third party, or uses written communication to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by the person to be a child or a child's guardian, to commit any sex offense as defined in Section 2 of the Sex Offender Registration Act, to distribute photographs depicting the sex organs of the child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by the person to be a child. As used in this Section, 'child' means a person under 17 years of age."

[310] Required by 105 ILCS 5/10-23.13(b), amended by P.A. 102-610.

[311] Required by 105 ILCS 5/22-85.5(d)(2), added by P.A. 102-676. This definition of *sexual misconduct* is adapted from 105 ILCS 5/22-85.5(c), added by P.A. 102-676. It results from collaboration to implement some recommendations of the *Make Sexual and Severe Physical Abuse Fully Extinct (Make S.A.F.E.) Taskforce* and was endorsed by Stop Educator Sexual Abuse Misconduct & Exploitation (S.E.S.A.M.E.), a national organization working to prevent sexual exploitation, abuse, and harassment of students by teachers and other school staff. See www.sesamenet.org/ for further information.

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Statement of Economic Interests

The following employees must file a *Statement of Economic Interests* as required by the Ill. Governmental Ethics Act: [312]

1. Superintendent;
2. Building Principal;
3. Head of any department;
4. Any employee who, as the District's agent, is responsible for negotiating one or more contracts, including collective bargaining agreement(s), in the amount of $1,000 or greater;
5. Hearing officer;
6. Any employee having supervisory authority for 20 or more employees; and
7. Any employee in a position that requires an administrative or a chief school business official endorsement.

Ethics and Gift Ban

Board policy 2:105, *Ethics and Gift Ban*, applies to all District employees.[313] Students shall not be used in any manner for promoting a political candidate or issue.

Prohibited Interests; Conflict of Interest; and Limitation of Authority

In accordance with 105 ILCS 5/22-5, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of instructional materials listed with ISBE and adopted for use by the Board.[314] An employee having an interest in instructional materials must file an annual statement with the Board Secretary. [315]

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the District. This includes participation in the selection, award, or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) when the employee has a real or

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[312] 5 ILCS 420/4A-101.5. See 5 ILCS 420/4A-102, amended by P.A.s 102-664 and 102-813, for economic interests of an employee's spouse or any other party that is considered the employee's interests if the employee constructively controls them. Any county clerk may use a mandatory system of Internet-based filing of economic interest statements; if done, the clerk must post the statements, without the addresses, of the filers, on a publicly accessible website. 5 ILCS 420/4A-108, amended by P.A. 102-664.

[313] The SOEEA prohibits State employees from engaging in certain political activities and accepting certain gifts. 5 ILCS 430/. It requires all school districts to adopt an *ordinance or resolution* "in a manner no less restrictive" than the Act's provisions. See sample policy 2:105, *Ethics and Gift Ban.*

Districts may not inhibit or prohibit employees from petitioning, making public speeches, campaigning for or against political candidates, speaking out on public policy questions, distributing political literature, making campaign contributions, and seeking public office. 50 ILCS 135/, Local Governmental Employees Political Rights Act. An employee may not use his/her position of employment to coerce or inhibit others in the free exercise of their political rights or engage in political activities at work. Id.

[314] This sentence quotes 105 ILCS 5/22-5 because the statute does not define important terms making it difficult to paraphrase. No appellate decision defines *school officer* or *apparatus*, or what is meant by *connected*. The statute was enacted in 1961, but earlier versions were in the School Code much longer. A violation of this prohibition is a Class A misdemeanor.

[315] Id.

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apparent conflict of interest.[316] A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in or a tangible benefit from the entity selected for the contract:

1. A member of the employee's immediate family;
2. An employee's partner[317]; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one or two above. [318]

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or subcontracts.[319] Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*. [320]

School Counselor Gift Ban [321]

School counselors are prohibited from intentionally soliciting or accepting any gift from a *prohibited source* or any gift that would be in violation of any federal or State statute or rule. For school counselors, a *prohibited source* is any person who is (1) employed by an institution of higher education, or (2) an agent or spouse of or an immediate family member living with a person employed by an institution of higher education. This prohibition does not apply to:

1. Opportunities, benefits, and services available on the same conditions as for the general public.
2. Anything for which the school counselor pays market value.
3. A gift from a relative.
4. Anything provided by an individual on the basis of a personal friendship, unless the school counselor believes that it was provided due to the official position or employment of the school counselor and not due to the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the school counselor must consider the circumstances in which the gift was offered, including any of the following:
    a. The history of the relationship between the individual giving the gift and the school counselor, including any previous exchange of gifts between those individuals.

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316 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*. The uniform federal rules on procurement standards in 2 C.F.R. Part 200 also apply to eligible State grants through the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/). Authoritative sources and guidance regarding conflict of interest and financial disclosure are provided through the GATA Resource Library at https://gata.illinois.gov/. See also ISBE's *Procurement and Purchasing Checklist* at: www.isbe.net/Pages/Federal-and-State-Monitoring.aspx. See sample policy 2:100, *Board Member Conflict of Interest*, at f/n 6, for further discussion.

317 See sample policy 2:100, *Board Member Conflict of Interest*, at f/n 7 for a discussion of the term *partner*.

318 2 C.F.R. §200.318(c)(1).

319 Id.

320 Id. The rule provides flexibility for school districts to "set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value," along with "disciplinary actions to be applied for violations." Referring to sample policy 2:105, *Ethics and Gift Ban*, for these standards provides clarity and consistency. Sample policy 2:105 refers to **Limitations on Receiving Gifts** in the Ethics Act at 5 ILCS 430/10-10 – 10-30, along with discussion of the specific penalties available under the Ethics Act at 5 ILCS 430/50-5 in its **Enforcement** subhead.

321 This section is only for those districts with a high school. 105 ILCS 5/22-93, added by P.A. 102-327, renumbered by P.A. 102-813, and amended by P.A. 103-1020. *School counselor* means a person employed by a school district and working in a high school to offer students advice and assistance in making career or college plans. Id.

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b. Whether, to the actual knowledge of the school counselor, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.
c. Whether, to the actual knowledge of the school counselor, the individual who gave the gift also, at the same time, gave the same or a similar gift to other school district employees.

5. Bequests, inheritances, or other transfers at death.
6. Any item(s) during any calendar year having a cumulative total value of less than $100.
7. Promotional materials, including, but not limited to, pens, pencils, banners, posters, and pennants.
8. Travel, lodging, food, and beverage costs incurred by the school counselor and paid by an institution of higher education for attendance by the school counselor of an educational or military program at the institution of higher education.[322]

A school counselor does not violate this prohibition if he or she promptly returns the gift to the prohibited source or donates the gift or an amount equal to its value to a 501(c)(3) tax-exempt charity.

Outside Employment

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

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

LEGAL REF.: U.S. Constitution, First Amendment.
2 C.F.R. §200.318(c)(1).
5 ILCS 420/4A-101, Ill. Governmental Ethics Act.
5 ILCS 430/, State Officials and Employee Ethics Act.
30 ILCS 708/, Grant Accountability and Transparency Act.
50 ILCS 135/, Local Governmental Employees Political Rights Act.
105 ILCS 5/10-22.39, 5/10-23.13, 5/22-5, 5/22-85.5, and 5/22-93.
325 ILCS 5/, Abused and Neglected Child Reporting Act.
720 ILCS 5/11-25, Criminal Code of 2012.
775 ILCS 5/5A-102, Ill. Human Rights Act.
23 Ill.Admin.Code Part 22, Code of Ethics for Ill. Educators.
Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).
Garcetti v. Ceballos, 547 U.S. 410 (2006).

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Grievance Procedure), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 7:20 (Harassment of Students Prohibited)

[322] Id. Any costs paid for by the institution of higher education may not exceed the per diem rates for travel, gift, and car expenses set by the Internal Revenue Service (IRS) and referenced in the IRS's Publication 463 or a successor publication. Id.

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General Personnel

Personal Technology and Social Media; Usage and Conduct [323]

Definitions

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

Social media - Media for social interaction, using highly accessible web-based and/or mobile technologies that allow users to share content and/or engage in interactive communication through online communities.[324] This includes, but is not limited to, services such as *Facebook, LinkedIn, X (formerly Twitter), Threads, Instagram, TikTok, Snapchat, Discord,* and *YouTube*. [325]

Personal technology - Any device that is not owned or leased by the District or otherwise authorized for District use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or information networks. This includes computers, tablets, smartphones, smartwatches, and other devices. [326]

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[323] This policy is optional. Consult the board attorney because personal technology, social media, and public employees' First Amendment rights involve unprecedented and unsettled areas of the law. In addition, personal technology and social media platforms change continually.

Therefore, instead of prohibiting specific actions, this sample policy focuses on what will not change - maintaining appropriate behavior as outlined in sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, the Ill. Educators' Code of Ethics at 23 Ill.Admin.Code §22.20, and 105 ILCS 5/21B-75, amended by P.As. 102-552 and 102-702 (allows suspensions or revocations of licenses, endorsements, or approvals for abuse or neglect of a child, willful or negligent failure to report suspected child abuse or neglect, *sexual misconduct* as defined in 105 ILCS 5/22-85.5(c), *immorality*, and *unprofessional conduct*, among other things). *Immoral* has been defined by one court to mean "shameless conduct showing moral indifference to the opinions of the good and respectable members of the community." See Ahmad v. Bd. of Educ. of City of Chicago, 365 Ill.App.3d 155 (1st Dist. 2006).

Consult the board attorney when a board wants to prohibit more specific actions and/or specific speech, e.g., *friending* students on Facebook or similar social media, *tweeting* or otherwise communicating with students on X (formerly Twitter) or similar social media sites, and text messaging or emailing students. See also the discussion in f/ns 5 & 6 below.

This policy also contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. When a policy's subject matter is superseded by a bargaining agreement, the board policy can state, "Please refer to the applicable collective bargaining agreement(s)."

[324] Several definitions of social media exist, and a board may wish to use another definition or create its own with the board attorney. This sample policy's definition is very broad. It is adapted from Merriam-Webster's definition at: www.merriam-webster.com/dictionary/social%20media.

[325] Optional. A board may want to add other sites. As of October 2023, the publication *eBizMBA Inc.* lists the top four social networking sites (worldwide) as Facebook, WhatsApp, Instagram, and YouTube respectively.

[326] Optional.

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Usage and Conduct [327]

All District employees who use personal technology and/or social media shall: [328]

1. Adhere to the high standards for **Professional and Appropriate Conduct** required by Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, at all times, regardless of the ever-changing social media and personal technology platforms available. This includes District employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by Board policies 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 6:235, *Access to Electronic Networks*; and 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.
2. Choose a District-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Inform their immediate supervisor if a student initiates inappropriate contact with them via any form of personal technology or social media.
5. Report instances of suspected abuse or neglect discovered through the use of social media or personal technology pursuant to a school employee's obligations under Board policy 5:90, *Abused and Neglected Child Reporting*.
6. Not disclose confidential information, including but not limited to school student records (e.g., student work, photographs of students, names of students, or any other personally identifiable information about students) or personnel records, in compliance with Board policy 5:130, *Responsibilities*

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[327] Whether to discipline an employee for his or her speech is always highly fact sensitive and should always occur after a consultation with the board attorney. See f/ns 1 and 12. The discipline will require careful balancing of the district's obligations to protect its students with employees' rights. Further, a board may not discipline its employees for discussing the terms and conditions of their employment with co-workers and others or otherwise interfere with their employees' efforts to work to improve the terms and conditions of their workplace. 29 U.S.C. §151 et seq. (Illinois courts have looked to the National Labor Relations Act for guidance on what is protected activity under the Ill. Educational Labor Relations Act, 115 ILCS 5/).

[328] The following list is optional and may contain items on which collective bargaining may be required. See f/n 1. To ensure that the listed expectations match local conditions, boards may want to initiate a conversation with the superintendent about these expectations. Expectations will be most effective when they reflect local conditions and circumstances. This conversation provides an additional opportunity for the board and superintendent to examine all current policies, collective bargaining agreements, and administrative procedures applicable to this subject. See f/n 6 of sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, for more discussion about how to initiate this conversation, f/n 4 of sample policy 5:100, *Staff Development Program*, and the discussion in f/ns 3 and 4 of sample policy 8:10, *Connection with the Community*, related to excluding comments from social media accounts that are considered *public forums* or *limited public forums* and a discussion of some best practices around social media use. Employee conduct issues may be subjects of mandatory collective bargaining, therefore consulting the board attorney should be a part of this process. After discussing these issues, the board may have further expectations and may choose to reflect those expectations here.

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Concerning Internal Information. For District employees, proper approval may include implied consent under the circumstances. [329]

7. Refrain from using the District's logos without permission and follow Board policy 5:170, *Copyright*, and all District copyright compliance procedures. [330]
8. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation. [331]
9. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the District employee's personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media. [332]
10. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of this policy. [333]

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[329] Inherent dangers exist when district employees use personal technology and social media without understanding how the information is used within the chosen platform and what choices are available within the platform to control it. Some examples of laws that require the safekeeping of district and school records include: the Federal Educational Rights and Privacy Act, 20 U.S.C. §1232g, and the Ill. School Student Records Act, 105 ILCS 10/ (both prohibit the unauthorized disclosure of student school records); 5 ILCS 140/7 (exempts personal information, the disclosure of which would constitute a clearly unwarranted invasion of privacy, and other items such as school security and response plans and maps from disclosure); 45 C.F.R. §164.502 (protects the employees' health information); and 820 ILCS 40/ (governs the release of an employee's disciplinary action). For district employees, implied consent may be sufficient in some circumstances, e.g., teachers taking pictures of each other at a birthday party in the teachers' lounge or at a social event off school grounds and later posting those pictures on social media.

[330] 17 U.S.C. §101 et seq.

[331] 105 ILCS 5/24-9; Fair Labor Standards Act, 29 U.S.C. §201 et seq. See also f/ns 1 and 5 above.

[332] The Children's Internet Protection Act (CIPA) (47 U.S.C. §254(l)) requires school districts to maintain a policy and provide Internet access that protects against access to websites containing material that is obscene, pornographic, or harmful to minors. See sample policy 6:235, *Access to Electronic Networks*. Because a district cannot subject its employees' usage of personal technology and social media to the same measures required under CIPA (i.e., content filters, blocking lists, or district monitoring of Internet website traffic for patterns of usage that could indicate inappropriate network usage), this statement seeks to balance the district's duty by shifting responsibility for inappropriate behavior to the individual employee.

[333] The Ill. Human Rights Act (IHRA) makes it a civil rights violation to fail to take remedial action, or to fail to take appropriate disciplinary action against any employee, when the district knows that the employee committed or engaged in sexual harassment of a student. 775 ILCS 5/5A-102(B). It is also a civil rights violation under the IHRA to fail to take appropriate corrective action to stop harassment on the basis of a protected category, if the district knows that the employee committed or engaged in harassment. Id. at (D), added by P.A. 103-472. Harassment, including sexual harassment, is also prohibited by sample policies 7:20, *Harassment of Students Prohibited*, and 5:20, *Workplace Harassment Prohibited*.

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Superintendent Responsibilities

The Superintendent shall: [334]

1. Inform District employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest.*
2. Direct Building Principals to annually:
    a. Provide their building staff with a copy of this policy.
    b. Inform their building staff about the importance of maintaining high standards in their school relationships.
    c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that neither the District, nor anyone on its behalf, commits an act prohibited by the Right to Privacy in the Workplace Act, 820 ILCS 55/10; i.e., the *Facebook Password Law*. [335]
5. Periodically review this policy and any implementing procedures with District employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

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[334] 105 ILCS 5/10-16.7. The school board directs, through policy, the superintendent in his or her charge of the district's administration. One logical method for a board to address the issue of district employees' use of personal technology and social media is to include its expectations during its in-service trainings required by 105 ILCS 5/10-22.39. Many experts in social media risk management advocate training employees about the expectations concerning social media usage. For boards that do not want to include this as a part of the in-service, delete the phrase "during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest.*"

Public employee First Amendment issues involve the balance between the importance of the speech and the district's interest in maintaining order and effective school operations. The First Amendment "does not entitle primary and secondary teachers, when conducting the education of captive audiences, to cover topics, or advocate viewpoints, that depart from the curriculum adopted by the school system." See Mayer v. Monroe Cnty. Cmty. Sch. Corp., 474 F.3d 477 (7th Cir. 2007). Nor is the First Amendment likely to entitle a teacher to protection for purely personal speech that does not touch on a matter of public concern. See Pickering v. High Sch. Dist. 205, 391 U.S. 563 (1968). However, when public employees speak as private citizens on their own time about matters of public concern, they may face only those speech restrictions that are necessary for their employers to operate efficiently and effectively. Garcetti v. Ceballos, 547 U.S. 410 (2006).

[335] Right to Privacy in the Workplace Act, 820 ILCS 55/10(b) (also known as the *Facebook Password Law*). The exception for *professional accounts* is unlikely to be available to school districts; see the explanation in f/n 23 in sample policy 5:30, *Hiring Process and Criteria*. The statute specifically permits an employer to: (1) maintain workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and (2) monitor usage of the employer's electronic equipment and electronic mail.

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

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LEGAL REF.: 105 ILCS 5/21B-75 and 5/21B-80.
775 ILCS 5/5A-102, Ill. Human Rights Act.
820 ILCS 55/10, Right to Privacy in the Workplace Act.
23 Ill.Admin.Code §22.20, Code of Ethics for Ill. Educators.
Garcetti v. Ceballos, 547 U.S. 410 (2006).
Pickering v. High School Dist. 205, 391 U.S. 563 (1968).
Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).

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

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General Personnel

Personnel Records [336]

Maintenance and Access to Records

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

Access to personnel records is available as follows:

1. An employee will be given access to his or her personnel records according to State law and guidelines developed by the Superintendent. [337]
2. An employee's supervisor or other management employee who has an employment or business-related reason to inspect the record is authorized to have access.
3. Anyone having the respective employee's written consent may have access.
4. Access will be granted to anyone authorized by State or federal law to have access.
5. All other requests for access to personnel information are governed by Board policy 2:250, *Access to District Public Records*. [338]

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[336] State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. When a policy's subject matter is superseded by a bargaining agreement, the board policy can state, "Please refer to the applicable collective bargaining agreement(s)."

[337] Upon written request by an employee to inspect, copy, or receive copies of his or her personnel file contents, with a few exceptions, the employer must grant such a request at least two times per calendar year. Ill. Personnel Record Review Act (PRRA), 820 ILCS 40/2, amended by P.A.s 103-201 and 103-727, eff. 1-1-25. See sample exhibit 5:150-E, *Employee Request Form for Personnel Records*. Thus, personnel files should contain only factual and accurate job-related information. Additionally, 105 ILCS 5/22-94(e), a/k/a *Faith's Law*, added by P.A. 102-702, requires a district to maintain as part of an employee's personnel file a form including sexual misconduct related information; the form is completed at the time of separation of employment or at the request of the employee. See sample administrative procedure 5:150-AP, *Personnel Records*. Finally, the PRRA identifies records that may not be kept: a record of an employee's associations, political activities, publications, communications, or non-employment activities (820 ILCS 40/9, subject to limited exceptions) and records identifying an employee as the subject of an investigation by the Ill. Dept. of Children and Family Services (DCFS) if the investigation resulted in an unfounded report as specified in the Abused and Neglected Child Reporting Act (820 ILCS 40/13). See f/n 5.

[338] Unless a specific exemption is available, personnel file information is available to anyone making a FOIA request. 5 ILCS 140/. Specific exemptions protect the following:

1. *Private information* meaning "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/7(1)(b); 5 ILCS 140/2(c-5).

2. *Personal information* "the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." 5 ILCS 140/7(1)(c).

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Prospective Employer Inquiries Concerning a Current or Former Employee's Job Performance

The Superintendent or designee shall manage a process for responding to inquiries by a prospective employer concerning a current or former employee's job performance.[339] The Superintendent shall: [340]

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3. *Information prohibited from being disclosed under the Illinois Educational Labor Relations Act* (IELRA). 5 ILCS 140/7.5(yy); 115 ILCS 5/3(d). The prohibitions in the IELRA overlap with some categories of private information identified in FOIA and include: (a) the employee's home address (including ZIP code and county); (b) the employee's date of birth; (c) the employee's home and personal phone number; (d) the employee's personal email address; (e) any information personally identifying employee membership or membership status in a labor organization or other voluntary association affiliated with a labor organization or a labor federation; and (f) e-mails or other communications between a labor organization and its members. Unless a specific exception in the IELRA applies, if a district receives a third-party request for any of these six categories of information about an employee, the district must provide the union with a copy of the written request (or written summary of an oral request), as well as a copy of the district's response within five business days of sending the response. If the employee is not in a bargaining unit, then these notices must be given directly to the employee. 115 ILCS 5/3(d). **Note:** It is best practice to maintain union-related documents, such as grievances, separately from an employee's personnel file.

4. *Information* prohibited from being disclosed by the PRRA. 5 ILCS 140/7.5(q). The PRRA prohibits the disclosure of a performance evaluation under FOIA. 820 ILCS 40/11. The treatment of a request for a disciplinary report, letter of reprimand, or other disciplinary action depends on the age and nature of the responsive record. If the responsive record is more than four years old and is not related to an incident or attempted incident of sexual abuse, severe physical abuse, or sexual misconduct as defined in 105 ILCS 5/22-85.5(c), the request must be denied unless the disclosure is permitted by the Act. 5 ILCS 140/7.5(q); 820 ILCS 40/8, amended by P.A. 102-702. If the responsive record is more than four years old and is related to an incident or an attempted incident of sexual abuse, severe physical abuse, or sexual misconduct as defined in 105 ILCS 5/22-85.5(c), the request cannot be denied. 820 ILCS 40/8, amended by P.A. 102-702. If the responsive record is four years old or less (regardless of its nature), the district should provide the record and must notify the employee in written form or through email, if available. 820 ILCS 40/7 and 40/8, amended by P.A. 102-702.

The School Code prohibits the disclosure of school teacher, principal, and superintendent performance evaluations except as otherwise provided in the certified employee evaluation laws. 105 ILCS 5/24A-7.1. Finally, sexual misconduct employment history review (EHR) information received pursuant to 105 ILCS 5/22-94, added by P.A. 102-702, is not deemed a public record under the School Code. However, P.A. 102-702 did not specifically amend or reference FOIA. Districts should consult their board attorneys if they receive FOIA requests for EHR information regarding current or former employees.

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub.L. 104-191) created national standards to protect individuals' medical records and other personal health information. If a district is a *covered entity* (i.e., offers a self-insured group health plan or flexible spending account), it must establish clear procedures to protect the employee's health information. 45 C.F.R. §164.502. Such districts should consult their attorneys and insurance provider for assistance.

[339] The Employment Record Disclosure Act (745 ILCS 46/10) provides conditional immunity to employers responding to a reference request; it states: "Any employer or authorized employee or agent acting on behalf of an employer who, upon inquiry by a prospective employer, provides truthful written or verbal information, or information that it believes in good faith is truthful, about a current or former employee's job performance is presumed to be acting in good faith and is immune from civil liability for the disclosure and the consequences of the disclosure." This immunity statute does not, however, create an exemption to the requirements in the PRRA. The PRRA requires an employer to give an employee written notice before divulging a "disciplinary report, letter of reprimand, or other disciplinary action to a third party." 820 ILCS 40/7. An employment application may contain a waiver of this notice. Id.

[340] 325 ILCS 5/4(d) requires a superintendent, upon being asked for a reference concerning an employee or former employee, to disclose to the requesting school district the fact that a district employee has made a report involving the conduct of the applicant or caused a report to be made to DCFS. For more information, see sample administrative procedure 5:150-AP, *Personnel Records*.

Required by the Elementary and Secondary Education Act (ESEA) (20 U.S.C. §7926). On 6-27-2018, the U.S. Dept. of Education issued a *Dear Colleague Letter* stating that school policies must explicitly state this requirement.

Consult the board attorney about what "or has probable cause to believe, has engaged in sexual misconduct" means. For guidance, sample policy 5:90, *Abused and Neglected Child Reporting*, and its f/n 15 analysis define an "alleged incident of sexual abuse" as an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

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1. Execute the requirements in the Abused and Neglected Child Reporting Act whenever another school district asks for a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to Ill. Dept. of Children and Family Services (DCFS); and
2. Comply with the federal law prohibiting the District from providing a recommendation of employment for an employee, contractor, or agent that the District knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law,[341] but the Superintendent or designee may follow routine procedures regarding the transmission of administrative or personnel files for that employee.
3. Manage the District's responses to employer requests for sexual misconduct related employment history review (EHR) information in accordance with *Faith's Law*. [342]

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

LEGAL REF.: 20 U.S.C. §7926.
105 ILCS 5/22-94.
325 ILCS 5/4, Abused and Neglected Child Reporting Act.
745 ILCS 46/10, Employment Record Disclosure Act.
820 ILCS 40/, Personnel Record Review Act.
23 Ill.Admin.Code §1.660.

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

[341] Consult the board attorney in these situations for help about what the superintendent may or may not say. Questions exist whether the superintendent says nothing, provides a neutral reference, or whether a *recommendation* could mean positive or negative statements.

[342] 105 ILCS 5/22-94(e), added by P.A. 102-702.

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Personnel

Exhibit – Employee Request Form for Personnel Records

To be used when an employee requests to inspect, copy, or receive copies of their personnel records under the Personal Record Review Act. An employee must be granted at least two requests per calendar year, made at reasonable intervals unless otherwise provided in a collective bargaining agreement. 820 ILCS 40/2(b), added by P.A. 103-727, eff. 1-1-25.

Employee Name: _____ Phone Number: _____

Address: _____ Email: _____

The Personnel Record Review Act (820 ILCS 40/) grants every employee the right to inspect, copy, and receive copies of the following documents:

1. Personnel documents which are, have been, or are intended to be used in determining that employee's qualifications for employment, promotion, transfer, compensation, benefits, discharge, or other disciplinary action, except as provided in 820 ILCS 40/10;
2. Employment-related contracts or agreements that are legally binding on the employee;
3. Employee handbooks made available to the employee or that the employee acknowledged receiving; and
4. Written District policies or procedures the employee was subject to and that concern qualifications for employment, promotion, transfer, compensation, benefits, discharge, or other disciplinary action.

I request to (*check one*):

☐ **Inspect** ☐ **Receive Hard Copies of**

☐ **Copy** ☐ **Receive Electronic Copies of**

my personnel records as follows (*identify what records are sought*): _____

_____

_____

_____

Will the records inspection, copying, or receipt of copies be performed by the employee?

☐ **Yes** ☐ **No, by the employee's representative*:**

Representative's Name: _____

Representative's Role *(check one)*:

☐ **Family member** ☐ **Lawyer**

☐ **Union steward/official** ☐ **Translator**

*If the request includes medical information and medical records, attach a signed waiver to release medical information and medical records to the employee's representative.

_____ _____

Employee Signature Date

Completed by the Records Custodian or Privacy Officer.

Request received on: _____

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Personnel records due to employee on:_____

Personnel records provided to employee on:_____

_____ _____

Record Custodian or Privacy Officer Signature Date

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General Personnel

Administrative Procedure - Personnel Records

Applicant Records

Records for a successful employment applicant are maintained with the individual's employment records. Records for an unsuccessful employment applicant are maintained for no less than five years from the application date.[23] Applicant records include the following if received by the District:

Employment application forms
Transcripts
Previous work experience
References
Such other relevant information as the District desires of applicants for screening purposes

Personnel Records

Personnel records for all employees include:

Job posting, pay scale, and benefits for the employee's position (beginning 1-1-25) [24]
Pre-employment records, including verification of past employment
Dates of employment
Valid certificate and/or evidence of required credentials for services being performed
Criminal background investigation history and report
Sexual Misconduct Related Employment History Review (EHR) records [25]
Form I-9 required under the Immigration Reform and Control Act [26]
Records maintained pursuant to Internal Revenue Service regulations
Payroll information and deductions, including all records required to be kept by 5:35-AP2, *Employee Records Required by the Fair Labor Standards Act* (29 C.F.R. §§516.2 and 516.3) and the Equal Pay Act of 2003, 820 ILCS 112/20 [27]
Records maintained for the Ill. Teachers' Retirement System or the Ill. Municipal Retirement System
Credit release information

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[23] Equal Employment Opportunity Commission regulations require employers to retain all personnel records, including applications, for at least one year from the date the record was made or any personnel action was taken, whichever is later. 29 C.F.R. §1602.14. A longer retention period allows the district to gather data that may be used to defend a discrimination complaint.

[24] 820 ILCS 112/20, amended by P.A. 103-539, eff. 1-1-25. These records are not specifically required to be kept in an employee's personnel file but are included in this sample procedure for ease of administration.

[25] 105 ILCS 5/22-94(e), added by P.A. 102-702. See sample administrative procedure 5:30-AP3, *Sexual Misconduct Related Employment History Review (EHR)*.

[26] For information on Form I-9, see *Handbook for Employers, Instructions for Completing Form I-9, Form I-9 Resources* at: www.uscis.gov/i-9-central/form-i-9-resources. The Ill. Right to Privacy in the Workplace Act (820 ILCS 55/) imposes requirements on employers who use the E-Verify Program, see: https://labor.illinois.gov/laws-rules/conmed/privacy-workplace.html. See also f/n 13 in sample policy 5:30, *Hiring Process and Criteria*.

[27] The payroll recordkeeping requirements of the Equal Pay Act of 2003 (EPA), 820 ILCS 112/20, amended by P.A. 103-539, eff. 1-1-25, overlap with the requirements of the FLSA and are not separately listed in this procedure. They include employee name, address, occupation, and wages. Id. However, the EPA requires these records be maintained for five years, compared to three years under the Fair Labor Standards Act. Id.; 29 C.F.R. §516.5. Certain payroll documents, e.g., *pay stub* and *payroll card*, are defined in the Ill. Wage Payment and Collection Act. 820 ILCS 115/2, amended by P.A. 103-953, eff. 1-1-25.

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Sick leave, leaves of absence, personal leave, and vacation data (where appropriate)
Salary schedule data
Relevant health and medical records, including the verification of freedom from tuberculosis required by the School Code (105 ILCS 5/24-5) [28]
Supervisory evaluations
Promotions
Awards received
Personnel documents that have been or are intended to be used in determining an employee's qualification for promotion, transfer, compensation, benefits, discharge, or disciplinary action[29]
Any employment-related contracts or agreements that the District maintains are legally binding on the employee [30]
Any employee handbooks that the District made available to the employee or that the employee acknowledged receiving [31]
Any written District policies or procedures that the District contends the employee was subject to and that concern qualifications for employment, promotion, transfer, compensation, benefits, discharge, or other disciplinary action [32]
Disciplinary actions and accompanying records
Notice of discharge and accompanying records
Letter of resignation or retirement
Notification that an employee is the subject of an Ill. Dept. of Children and Family Services (DCFS) investigation pursuant to the Abused and Neglected Child Reporting Act (ANCRA) and any report to DCFS made or caused to be made by a District employee concerning another employee; this record will be deleted if DCFS informs the District that the allegations were unfounded [33]
Any additional information the District deems to be relevant

In addition to the above, personnel records for all professional personnel include:
Valid certificate for services being performed
Copies of official transcripts required by the School Code (105 ILCS 5/24-23)
Transcripts of graduate work completed
Verification of past teaching experience, if any
Record of in-service work completed
Acknowledgement of mandated reporter status

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[28] The Americans with Disabilities Act requires that employment health and medical records be kept separately from the regular personnel file. 42 U.S.C. §12112(d)(3).

[29] 820 ILCS 40/2(a), added by P.A. 103-727, eff. 1-1-25. The Personnel Record Review Act (PRRA) restricts an employer's ability to use record information during a proceeding in court or before a hearing officer that was not included in the personnel record. 820 ILCS 40/4. Thus, this item becomes a statement of what must be kept in an employee's personnel record.

[30] Id. at 40/2(a)(2), added by P.A. 103-727, eff. 1-1-25.

[31] Id. at 40/2(a)(3).

[32] Id. at 40/2(a)(4).

[33] 820 ILCS 40/13; 325 ILCS 5/4 and 5/7.4, amended by P.A. 103-460; see the last section of this procedure for additional requirements. According to ANCRA: (1) DCFS must notify the employer of an individual who is the subject of a formal child abuse or neglect investigation if his or her employment results in frequent contact with children (325 ILCS 5/7.4(b)(4)); and (2) when a report is made by a school district employee involving the conduct of an individual employed by the district, the appropriate Child Protective Service Unit must send a copy of its final finding report to the district superintendent (325 ILCS 5/7.4(c-5)).

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Employment records will be maintained permanently for all District employees and former employees unless the Local Records Commission's approval is obtained to dispose of them.

Restrictions on Information that May Be Kept

The District will not gather or keep a record of an employee's associations, political activities, publications, communications, or non-employment activities, unless the employee submits the information in writing or gives the District express, written consent when the District keeps or gathers such records. However, the District may gather or keep records in an employee's personnel file concerning: (1) activities or associations with individuals or groups involved in the physical, sexual, or other exploitation of a minor, or (2) activities occurring on the District's premises or during the employee's working hours that interfere with the performance of the employee's duties or activities, or those of other employees, regardless of when and where occurring, that constitute criminal conduct or may reasonably be expected to harm the District's property, operations or educational process, or programs, or that could, by the employee's actions, cause the District financial liability. 820 ILCS 40/9, amended by P.A. 103-727, eff. 1-1-25.

Access to Employee Records and Correction Requests

Upon written request, which may include any electronic communications, e.g., email or text messages, an employee has the right to inspect, copy, or receive copies of his or her personnel records according to provisions in the Ill. Personnel Record Review Act (PRRA), 820 ILCS 40/, and any relevant provisions in an applicable collective bargaining agreement. Except for the documents described in 820 ILCS 40/10, an employee is granted access to his or her personnel records at least two times in a calendar year at reasonable intervals. Unless otherwise indicated in an applicable bargaining agreement, access to the employee's personnel records will be according to the following guidelines:

1. The employee must submit a written request to the Superintendent or the Superintendent's designee using exhibit 5:150-E, *Employee Request Form for Personnel Records*. The written request must (820 ILCS 40/2(c)):
    a. Identify what personnel records the employee is requesting or if the employee is requesting all records allowed to be requested under 820 ILCS 40/2;
    b. Specify if the employee is requesting to inspect, copy, or receive copies of the records;
    c. Specify whether records be provided in hardcopy or in a reasonable and commercially available electronic format;
    d. Specify whether inspection, copying, or receipt of copies will be performed by that employee's representative, including family members, lawyers, union stewards, other union officials, or translators; and
    e. If the requested records include medical information and medical records, include a signed waiver to release medical information and medical records to that employee's specific representative.
2. The Superintendent or designee will provide the employee the opportunity for inspection within seven working days after receipt of the request. If such deadline cannot reasonably be met, the District will have an additional seven calendar days to comply.
    a. If the District does not maintain records in one or more of the categories requested, the District may respond by notifying the employee in writing that the District does not maintain records in that category, but the District must still permit inspection, copying, and receipt of copies of any other records category requested that the District does maintain.
    b. If records are maintained in a manner and fashion that is already accessible by the employee, the District may instead provide the employee with instructions on how to access that information.

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3. The employee will inspect, copy, or receive copies of the personnel record at the District's administrative office during normal working hours or at another time mutually convenient to the employee or the employee's representative and the Superintendent or designee.
4. Inspection of personnel records will be conducted under the supervision of an administrative staff member.
5. Neither an employee nor his or her representative will have access to records that are treated as exceptions in the PRRA discussed below.
6. The employee may copy material maintained in his or her personnel record. Payment for record copying will be based on the District's actual costs of duplication and may not include: the imputed costs of time spent duplicating the information; the purchase or rental of copying machines; the purchase or rental of computer equipment; the purchase, rental, or licensing of software; or other similar expenses.
7. The employee may not remove any part of his or her personnel records from his or her file nor remove any part of his or her personnel records from the District's administrative office.
8. Upon the employee's request, the District will email or mail a copy of the specific record(s) to the email address or mailing address identified by the employee for the purpose of receiving the record(s).[34] The District will charge a fee for providing a copy of the records not to exceed the actual cost of duplication.
9. Should the employee be involved in a current grievance against the District or involved in any other contemplated proceedings against the District, the employee may designate in writing a representative who has the authority to inspect the personnel records under the same rights as the employee.
10. If the employee disagrees with any information contained in the personnel record, a removal or correction of that information may be mutually agreed upon by the District and employee. If agreement cannot be reached, the employee may submit a written statement explaining his or her position. The District will attach the employee's statement to the disputed portion of the personnel record and the statement will be included whenever that disputed record is released to a third party as long as the disputed record is part of the employee's personnel file. Inclusion of any written statement attached to the disputed record in an employee's personnel file without any further comment or action by the District will not imply or create any presumption that the District agrees with the statement's contents.

Requests by Third Parties

The Board Attorney shall be consulted whenever a subpoena or court order requests personnel record information. Any other request for personnel information by a third party will be treated as a FOIA request and immediately forwarded to the School District's Freedom of Information Officer (see administrative procedure 2:250-AP1, *Access to and Copying of District Public Records*). Concerning a request for a disciplinary report, letter of reprimand, or other disciplinary action:

1. If the responsive record is more than four years old and is not related to an incident or an attempted incident of sexual abuse, severe physical abuse, or sexual misconduct as defined in 105 ILCS 5/22-85.5(c), access will be denied unless the release is ordered in a legal action or arbitration. 5 ILCS 140/7.5(q); 820 ILCS 40/8, amended by P.A. 102-702.
2. If the responsive record is more than four years old and is related to an incident or an attempted incident of sexual abuse, severe physical abuse, or sexual misconduct as defined in 105 ILCS 5/22-85.5(c), the request cannot be denied. 820 ILCS 40/8, amended by P.A. 102-702.
3. If the responsive record is four years old or less, access will be granted (regardless of its nature). The District will provide the employee with written notice or through electronic mail, if available, on or before the day any such record is released, unless notice is not required under the Personnel Record Review Act. 5 ILCS 140/7.5(q); 820 ILCS 40/7 and 40/8, amended by P.A. 102-702.

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[34] Optional.

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4. The employee will not be informed if the employee has specifically waived written notice as part of a written, signed employment application with another employer; the disclosure is ordered to a party in a legal action or arbitration; or information is requested by a government agency as a result of a claim or complaint by an employee, or as a result of a criminal investigation by such agency.

A FOIA request for a performance evaluation will be denied. 820 ILCS 40/11, 5 ILCS 140/7.5(q).

Before replying to a request from a third party, the District will review the requested records and delete or redact material that is protected from disclosure. 820 ILCS 40/8, amended by P.A. 102-702.

Restriction on Employee Access

The PRRA, 820 ILCS 40/10, amended by P.A. 103-727, eff. 1-1-25, provides that the right of the employee or the employee's representative to inspect his or her personnel records does not extend to:

1. Letters of reference for that employee.
2. Any portion of a test document, except that the employee may see a cumulative total test score for either a section of or the entire test document.
3. Materials relating to the employer's staff planning, such as matters relating to the District's development, expansion, closing or operational goals, where the materials relate to or affect more than one employee, provided, however, that this exception does not apply if such materials are, have been or are intended to be used by the employer in determining an individual employee's qualifications for employment, promotion, transfer, compensation, or benefits, or in determining an individual employee's discharge or discipline.
4. Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
5. Records relevant to any other pending claim between the District and employee that may be discovered in a judicial proceeding.
6. Investigatory or security records maintained by the District to investigate criminal conduct by an employee or other activity by the employee that could reasonably be expected to harm the District's property, operations, or education process or programs, or could by the employee's activity cause the District financial liability, unless and until the District takes adverse personnel action based on information in such records.
7. The District's trade secrets, client lists, sales projections, and financial data.

Complying with Requirements in the Abused and Neglected Child Reporting Act

The Superintendent will execute the requirements in ANCRA whenever a District employee makes a report to DCFS involving another District employee's conduct. This includes performing the following tasks (325 ILCS 5/4 and 820 ILCS 40/13):

1. Disclose to any school district requesting information concerning a current or former employee's job performance or qualifications the fact that he or she was the subject of another employee's report to DCFS. Only the fact that a District employee made a report may be disclosed.
2. Inform the District employee who is or has been the subject of such report that the Superintendent will make the disclosure as described above.
3. Delete the record of such a report if DCFS informs the District that the allegation was unfounded.

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Complying with Requirements of *Faith's Law* [35]

The Superintendent or designee shall execute the recordkeeping requirements of *Faith's Law*. This includes performing the following tasks (105 ILCS 5/22-94(e)):

1. At the time of an employee's separation from employment, or upon request of any employee, ensures the completion of the *Authorization for Release of Sexual Misconduct Related Information and Current/Former Employer Response* form, using the Ill. State Board of Education *Authorization for Release of Sexual Misconduct Related Information and Current/Former Employer Response Template* at: www.isbe.net/Documents/Temp2-Auth-Release-Sexual-Misconduct-Related-Info.pdf.
2. If the District is still investigating an employee for *sexual misconduct*[36] after the employee's separation from employment, updates the information in the *Authorization for Release of Sexual Misconduct Related Information and Current/Former Employer Response* form accordingly.[37]
3. Maintains the completed *Authorization for Release of Sexual Misconduct Related Information and Current/Former Employer Response* form in the employee's personnel file.
4. Responds to employer requests for sexual misconduct related employment history information under *Faith's Law* by: (a) completing the *Authorization for Release of Sexual Misconduct-Related Information and Current/Former Employer Response* form provided by the employer within 20 calendar days of receipt, and (b) providing to the employer any relevant information, including copies of personnel records, regarding instances of sexual misconduct in accordance with the instructions on the form.

LEGAL REF.: 29 C.F.R. Part 516.
5 ILCS 140/, Freedom of Information Act.
105 ILCS 5/22-94.
325 ILCS 5/4 and 5/7.4, Abused and Neglected Child Reporting Act.
820 ILCS 40/, Personnel Record Review Act.
820 ILCS 112/20, Equal Pay Act of 2003.
23 Ill.Admin.Code §1.660.

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[35] 105 ILCS 5/22-94(e), added by P.A. 102-702. The contents of this subhead implement: (1) the *Faith's Law* recordkeeping requirements contained in the **Special Superintendent Responsibilities** subhead in sample policy 5:90, *Abused and Neglected Child Reporting*, and (2) the obligation to respond to employer requests for information under *Faith's Law* contained in the **Prospective Employer Inquiries Concerning a Current of Former Employee's Job Performance** subhead in sample policy 5:150, *Personnel Records*.

[36] *Sexual misconduct* is defined in 105 ILCS 5/22-85.5(c), added by P.A. 102-676.

[37] 105 ILCS 5/22-94(e), added by P.A. 102-702.

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Professional Personnel

Maintaining Student Discipline [343]

Maintaining an orderly learning environment is an essential part of each teacher's instructional responsibilities. A teacher's ability to foster appropriate student behavior is an important factor in the teacher's educational effectiveness. The Superintendent shall ensure that all teachers, other licensed educational employees (except for individuals employed as paraprofessional educators), and persons providing a student's related service(s):[344] (1) maintain discipline in the schools as required in the School Code, and (2) follow the School Board policies and administrative procedures on student conduct, behavior, and discipline.

When a student's behavior is unacceptable, the teacher should first discuss the matter with the student, if appropriate.[345] If the unacceptable behavior continues, the teacher should consult with the Building Principal and/or discuss the problem with the parent(s)/guardian(s). A teacher may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students.[346] A student's removal must be in accordance with Board policy and administrative procedures.

School personnel shall not use disciplinary methods that may be damaging to students, such as ridicule, sarcasm, or excessive temper displays. Corporal punishment (including slapping, paddling, or prolonged maintenance of a student in physically painful positions, and intentional infliction of bodily harm) is prohibited in all circumstances.[347] School personnel may only use reasonable force as permitted by 105 ILCS 5/10-20.33. [348]

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[343] State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements for employees covered by it. If this policy's subject matter is superseded by a bargaining agreement, the board policy can state, "Please refer to the applicable collective bargaining agreement(s)." For employees not covered by a collective bargaining agreement, the policy should reflect the board's current practice.

[344] 23 Ill.Admin. Code §1.280. "Persons providing a student's related service(s)" includes both licensed and non-licensed employees. 105 ILCS 5/24-24, amended by P.A. 103-806, eff. 1-1-25.

[345] School officials determine whether a behavioral intervention is *appropriate*. See 105 ILCS 5/10-22.6(b-20).

[346] Teachers must be given the authority to remove disruptive students from the classroom. 105 ILCS 5/24-24.

An in-school suspension program may focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel, and districts may employ a school social worker or a licensed mental health professional to oversee in-school suspension programs. 105 ILCS 5/10-22.6(l). Consult the board attorney regarding whether a teacher needs to be present for an in-school suspension program overseen by a school social worker or licensed mental health professional, and whether other licensed school support personnel (such as a school counselor or school psychologist) may oversee an in-school suspension program.

[347] *Corporal punishment* means "a discipline method in which a person deliberately inflicts pain upon a student in response to the student's unacceptable behavior or inappropriate language, with an aim to halt an offense, prevent its recurrence, or set an example for others." 105 ILCS 5/22-100, added by P.A. 103-806, eff. 1-1-25. See sample policy 7:190, *Student Behavior*, for a discussion of corporal punishment.

[348] Required by 105 ILCS 5/24-24, amended by P.A. 103-806, eff. 1-1-25. 105 ILCS 5/10-20.33 governs the use of time out, isolated time out, and physical restraint. See sample policy 7:190, *Student Behavior*, for a discussion of time out, isolated time out, and physical restraint.

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LEGAL REF.: 105 ILCS 5/22-100 and 5/24-24.
23 Ill.Admin.Code §1.280.

CROSS REF.: 2:150 (Committees), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

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Instruction

School Year Calendar and Day [349]

School Calendar

The School Board, upon the Superintendent's recommendation and subject to State regulations, annually establishes the dates for opening and closing classes, teacher institutes and in-services, the length and dates of vacations, and the days designated as legal school holidays.[350] The school calendar shall have a minimum of 185 days to ensure 176 days of actual student attendance. [351]

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[349] State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

[350] State-mandated school holidays are found in 105 ILCS 5/24-2, amended by P.A.s 102-15 (2022 General Election Day), 102-14 and 102-334 (both establishing Juneteenth National Freedom Day), and 103-467 (2024 General Election Day). See sample policy 5:330, *Sick Days, Vacation, Holidays, and Leaves*, for a holiday listing. The law allows a school board to hold school or schedule teachers' institutes, parent-teacher conferences, or staff development on five identified school holidays if: (1) the school board first holds a public hearing on the proposal: and (2) the person or persons honored by the holiday are recognized through instructional activities conducted on the school holiday or on the first school day preceding or following the school holiday. Districts must redo the public hearing process in the event they change plans for use of holidays. See Ill. State Board of Education (ISBE) guidance at: www.isbe.net/Documents/district-holiday-plans13.pdf. This is an item on which collective bargaining may be required, and a board that wishes to implement this law should consult its attorney.

A State mandated school holiday on *Good Friday* is unconstitutional according to Metzl v. Leininger, 57 F.3d 618 (7th Cir. 1995). Closing school on religious holidays may still be permissible for those districts able to demonstrate, e.g., through surveys, that remaining open would be a waste of educational resources due to widespread absenteeism. Also, districts may be able to close school on Good Friday by adopting a *spring holiday* rationale or ensuring that it falls within spring break. School districts should discuss all of these options, and collective bargaining implications with their board attorneys.

If the county board or board of election commissioners chooses a school to be a polling place, the school district must make the school available. 10 ILCS 5/11-4.1. For Election Day, the law encourages a school district to either: (1) close the school; or (2) hold a teachers' institute on that day with the students not in attendance. Id. and 105 ILCS 5/24-2, amended by P.A.s 102-15, 102-14, 102-334, 102-411, and 103-467. 10 ILCS 5/1-24, added by P.A. 103-467 and repealing on 1-1-25, establishes *2024 General Election Day* as a State holiday and it requires schools to be available to an election authority as a polling place for *2024 General Election Day*. Id.

[351] The school calendar must have a minimum 185 days to ensure 176 days of actual pupil attendance that may include remote learning days, blended remote learning days, and up to five remote and blended remote learning planning days pursuant to 105 ILCS 5/10-30. 105 ILCS 5/10-19 and 5/24-1; 23 Ill.Admin.Code §1.420. See sample policy 4:180, *Pandemic Preparedness; Management; and Recovery*, for information about remote and/or blended remote learning day plans. Schools must be closed during county institute days. 105 ILCS 5/24-3. The school calendar may be a mandatory subject of collective bargaining. The calendar for the school term and any changes must be submitted to and approved by the regional superintendent before the calendar or changes may take effect. 105 ILCS 5/10-19.

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Commemorative Holidays

The teachers and students shall devote a portion of the school day on each commemorative holiday designated in the School Code to study and honor the commemorated person or occasion.[352] The Board may, from time to time, designate a regular school day as a commemorative holiday.

E-learning days allow a school district to provide instruction to students electronically while they are not physically present due to inclement weather or other unexpected events. 105 ILCS 5/10-20.56, amended by P.A.s 102-584 (e-learning days allowed when a school is selected as a polling place under the Election Code), 102-697, and 103-780. Before a school district can implement an e-learning program and use e-learning days it must, along with other requirements: (1) hold a public hearing on the initial proposal for the e-learning program, (2) obtain verification from the Regional Office of Education (ROE) or Intermediate Service Center (ISC) for the school district that the initial proposal meets the requirements specified in the law, and (3) by resolution adopt a research-based program for district-wide e-learning days. Before implementing an e-learning program, boards must collectively bargain the impact of the program on the wages, hours, terms, and conditions of employment with employee representative(s). Additionally, the ROE or ISC must annually verify the district's e-learning program before the district can implement any e-learning days in that school year, and the board must renew its program every three school years. More information about e-learning is available at: www.isbe.net/Pages/Electronic-Learning.aspx. The law requires that districts pay employees and contractors who provide educational support services their regular rate of pay if the employee/contractor otherwise would have worked on an e-learning day. Id. at (d-10) and (d-15). Consult the board attorney regarding whether the board must pay contractors for consumables, such as fuel and school meals; the legislative history supports that consumables were not intended to be part of the payment. See 102nd General Assembly House Transcript 3-1-22, p. 77, available at: www.ilga.gov/house/transcripts/htrans102/10200077.pdf.

[352] 105 ILCS 5/24-2(c), amended by P.A.s 102-411 and 103-15, lists the following as commemorative holidays: Jan. 17 (Muhammad Ali's birthday), Jan. 28 (Christa McAuliffe Day commemorating space exploration); Feb. 15 (Susan B. Anthony's birthday); Mar. 29 (Vietnam War Veterans' Day); Sept. 11 (Sept. 11th Day of Remembrance); Sept. 17 (Constitution Day); the school day immediately preceding Veterans' Day (Korean War Veterans' Day); Oct. 1 (Recycling Day); Oct. 7 (Iraq and Afghanistan Veterans Remembrance Day); and Dec. 7 (Pearl Harbor Veterans' Day).

Other commemorative holidays include, but are not limited to: Arbor and Bird Day on the last Friday in April (105 ILCS 5/27-18); Leif Erickson Day on October 9 if a school day and otherwise on a school day nearest the date (105 ILCS 5/27-19); American Indian Day on the 4th Friday of September (105 ILCS 5/27-20); Ill. Law Week during the first full school week in May (105 ILCS 5/27-20.1); Just Say No Day on a school day in May designated by official proclamation of the Governor (105 ILCS 5/20.2); Ronald Reagan Day on Feb. 6 (5 ILCS 490/2); Barack Obama Day on August 4 (5 ILCS 490/3); Indigenous Peoples Day on the last Monday in September (5 ILCS 490/7); Lincoln's Birthday February 12 (5 ILCS 490/60); Juneteenth National Freedom Day on June 19 each year (5 ILCS 490/63, amended by P.A.s 102-14 (second to pass both houses and controlling (5 ILCS 70/6)) and 102-334 (first to pass both houses)) – potential conflicts related to celebrating Juneteenth when it falls on a Saturday or Sunday exist, e.g., P.A. 102-14 states "when June nineteenth falls on a Saturday or Sunday, neither the preceding Friday nor the following Monday shall be held or considered as a *paid* holiday" but contrast P.A. 102-334, stating "when June nineteenth falls on a Sunday, the following Monday shall be held and considered the holiday" – notice the word *paid* is missing; consult the board attorney about whether Juneteenth should be celebrated as an *unpaid holiday* on either the preceding Friday or the following Monday when it falls on a Saturday or Sunday, respectively, or not at all when it falls on a Saturday); Martin Luther King, Jr. Birthday the third Monday in January (5 ILCS 490/65); Prairie Week the third full week in September (5 ILCS 490/75); Retired Teachers' Week the fourth week in May (5 ILCS 490/80); Veterans Day November 11 (5 ILCS 490/90); Preventing Lost Potential Day September 19 (5 ILCS 490/141); Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade on March 25 (5 ILCS 490/155); the first full week of January is Emancipation Proclamation Week (5 ILCS 490/160); Mother Mary Ann Bickerdyke Day on the second Wednesday in May (5 ILCS 490/175); April is Arab American Heritage Month (5 ILCS 490/6); and the first full week of April each year is Autism Acceptance Week (5 ILCS 490/137, added by P.A. 102-588).

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School Day

The Board establishes the length of the school day with the recommendation of the Superintendent and subject to State law requirements.[353] The Superintendent or designee shall ensure that observances required by State law are followed during each day of school attendance. [354]

LEGAL REF.: 105 ILCS 5/10-19, 5/10-19.05, 5/10-20.56, 5/10-20.46, 5/10-30, 5/18-12, 5/18-12.5, 5/24-2, 5/27-3, 5/27-18, 5/27-19, 5/27-20, 5/27-20.1, and 5/27-20.2.
10 ILCS 5/11-4.1, Election Code.
5 ILCS 490/, State Commemorative Dates Act.
23 Ill.Admin.Code §1.420(f).
Metzl v. Leininger, 850 F.Supp. 740 (N.D. Ill. 1994), *aff'd by* 57 F.3d 618 (7th Cir. 1995).

CROSS REF.: 2:20 (Powers and Duties of the School Board; Indemnification), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:200 (Terms and Conditions of Employment and Dismissal), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 6:60 (Curriculum Content), 6:70 (Teaching About Religions), 7:90 (Release During School Hours)

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[353] A school day is required to consist of a minimum five clock-hours under the direct supervision of a teacher or non-teaching personnel or volunteer personnel that provides non-teaching or supervisory duties as specified in 105 ILCS 5/10-22.34(a), in order to qualify as a full day of attendance, unless (1) the Governor issues a disaster declaration due to a public health emergency pursuant 20 ILCS 3305/7, and (2) the State Superintendent of Education establishes minimum clock-hour requirements to align with the circumstances of the Governor's disaster declaration. 105 ILCS 5/10-19.05, amended by P.A. 103-560. See 105 ILCS 5/10-19.05, amended by P.A. 103-560, for additional exceptions to the attendance calculation.

Contrast 105 ILCS 5/18-12. It allows a partial day of attendance to be counted as a full day due to an adverse weather condition, condition beyond the control of the school district that poses a health and safety threat, or use of school facilities by local or county authorities for holding a memorial or funeral service in remembrance of a community member (up to two school days per school year) provided one of following conditions is met: (1) the school district has provided at least one hour of instruction prior to the closure of the school district; (2) a school building has provided at least one hour of instruction prior to the closure of the school building; or (3) the normal start time of the school district is delayed. The law also outlines the process to claim attendance prior to providing any instruction when a school district must close a building or buildings, but not the entire district, after consultation with a local emergency response agency or due to a condition beyond the control of the district. Additionally, 105 ILCS 5/18-12.5 outlines the process for claiming attendance when a school district must close a building or buildings, but not the entire district, specifically because of a public health emergency. Attendance for such days may only be claimed if the school building(s) was scheduled to be in operation on those days.

Alternative education programs may provide fewer than five hours under certain circumstances. 105 ILCS 5/13B-50.

[354] 105 ILCS 5/27-3 requires the Pledge of Allegiance to be recited every day in elementary and secondary schools. Note that the Illinois statute does not require every student to recite the Pledge – that kind of mandatory participation would violate the U.S. Constitution. Schools may not coerce a student into saying the Pledge, nor may they punish students for refusing to participate in any aspect of the flag ritual, including standing, saluting the flag, and reciting the Pledge. West Virginia State Bd. of Educ. v. Barnette, 319 U.S. 624 (1943); Sherman v. Cmty. Consol. Sch. Dist. 21 of Wheeling Twp., 980 F.2d 437 (7th Cir. 1992). Consider using permissive rather than mandatory language to introduce the recitation of the Pledge, such as, "You may now stand to recite the Pledge." Schools may, of course, require that non-participants maintain order and decorum appropriate to the school environment.

The Silent Reflection and Student Prayer Act mandates a *brief period of silence* for all Illinois public school students at the opening of each school day. 105 ILCS 20/1. A student filed a federal lawsuit challenging the constitutionality of this law under the First Amendment, but the law was ultimately upheld by the Appeals Court. Sherman v. Koch, 623 F.3d 501 (7th Cir. 2010), *cert denied by* 565 U.S. 815 (2011). 105 ILCS 5/10-20.46 requires a moment of silence to recognize veterans during any type of event held at a district school on Nov. 11.

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Instruction

Administrative Procedure – Remote and/or Blended Remote Learning Day Plan(s)

Use this procedure in conjunction with the subhead ***Suspension of In-Person Instruction; Remote and/or Blended Remote Learning Day Plan(s)*** *in Board policy 4:180, Pandemic Preparedness; Management; and Recovery.*

When the District must implement a Remote and/or Blended Remote Learning Day Plan (Plan) that designates *remote learning days* (RLDs) and/or *blended remote learning days* (BRLDs) for instruction in grades pre-kindergarten through 12, the Superintendent must approve[38] a Plan, present the Plan to the Board for adoption[39] prior to its implementation, implement the Plan after Board approval, and post it on the District's website.

The Superintendent will begin the process of developing a Plan in one of the two following ways:

1. Adapting the District's e-learning program (adopted by the Board pursuant to 105 ILCS 5/10-20.56) into a Plan[40] and ensuring that it is posted on the District's website and communicated to the community in accordance with this procedure.[41] See *E-learning Program; Days*, in the **Definitions** subhead below for more information about an e-learning program.
2. Using this procedure if the District has not implemented an e-learning program. [42]

Definitions

Blended Remote Learning Days (BRLDs) – School attendance days during which the District provides hybrid days of in-person and remote instruction to students.[43] Once the State Superintendent of Education declares that the District must use remote learning days or blended remote learning days, the Superintendent implements these days in grades pre-kindergarten through 12. These days are counted as days of attendance and are pupil attendance days for calculation of the length of a school term under 105 ILCS 5/10-19 and 5/10-19.05. If the

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[38] 105 ILCS 5/10-30(3) states "the district shall adopt a remote and blended remote learning day plan approved by the district superintendent." This presents a governance best practice conundrum. For ease of administration, to avoid confusion during implementation and to align with the IASB *Foundational Principles of Effective Governance* (www.iasb.com/principles_popup.cfm), this administrative procedure requires the superintendent to present the approved plan to the board for adoption prior to district-wide implementation and posting on the district's website. See f/n 13 in sample policy 4:180, *Pandemic Preparedness; Management; and Recovery* for further discussion.

[39] Id.

[40] Id. at 5/10-30(2). If the board has implemented an e-learning program in the district, it should adapt the program into a Plan by ensuring that the requirements for communicating the Plan are met. See f/n 4 below. Consult the board attorney regarding the impact, if any, of 105 ILCS 5/10-20.56(d-10), (d-15), and (d-20), added by P.A. 102-697, which requires boards to pay educational support personnel and contractors their regular rate of pay on e-learning days, unless they are rescheduled. The law limits the number of e-learning days to the minimum number of emergency days in the approved school calendar; it is unclear if those days would still need to be paid in the event an e-learning program is adapted into a Plan. Id.

[41] Id. at 5/10-30(6).

[42] Id. at 5/10-30(3) and (6). See f/n 1, above.

See f/n 3 in sample policy 2:150, *Committees* for a discussion of Open Meetings Act implications of the Remote Learning Committee being a board committee. See IASB's *Foundational Principles of Effective Governance* at www.iasb.com/principles_popup.cfm.

[43] The law is silent regarding whether BRLDs must be in-person and remote on the same day or whether they may include in-person instruction on one day and remote learning on different day. BRLDs is a term commonly used in higher education, and in higher education, in-person and remote instruction may take place on the same day or on different days.

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District has implemented an *e-learning program*, these school attendance days may be met through it. See 10 ILCS 5/10-30.

E-learning Program; Days – E-learning is short for electronic learning. As an optional instructional tool for school districts, e-learning days are part of an implemented *e-learning program* in the District that:

1. Uses the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meet the needs of all learners; and
2. Addresses a district's responsibility to ensure that all teachers and staff who may be involved in the provision of e-learning have access to any and all hardware and software that may be required for the program.

An e-learning program is implemented after a school board:

1. Adopts a resolution to implement research-based program(s) for district-wide e-learning days that permit student instruction to be received electronically while students are not physically present in lieu of the district's scheduled emergency days as required by 105 ILCS 5/10-19 (105 ILCS 5/10-20.56(b), amended by P.A.103-780);
2. Conducts a public hearing on the District's initial e-learning program proposal or renewal with at least 10 days' advanced notice (Id. at 5/10-20.56(c)); and
3. Before the implementation of any e-learning days in that school year, to ensure access for all students, receives verifications by the regional office of education (ROE) or intermediate service center (ISC) that the board's proposal for an e-learning program has: (a) met the requirements specified in 105 ILCS 5/10-20.56, amended by P.A.s 102-584, 102-697, and 103-780; (b) the components designed to reasonably and practicably accomplish the requirements outlined in the enabling statute; and (c) not exceeded the minimum number of emergency days in a district's approved school calendar. In its verification process, the ROE/ISC ensures that the specific needs of all students are met, including special education students and English Learners, and that all mandates are still met using the proposed research-based program. See 105 ILCS 5/10-20.56(b), amended by P.A.s 102-584 and 103-780.

While the ROE/ISC must annually verify a district's e-learning program, the Board's approval of an e-learning program is for a term of three school years. 105 ILCS 5/10-20.56(d)(10), amended by P.A. 103-780.

Plan – The District's formal implementation of remote instruction that includes RLDs and BRLDs. If the District already has an e-learning program in place, it should adapt the program into a Plan by ensuring that the requirements for communicating the Plan, e.g., website posting, etc. are met.[44] When finalized, it is provided to students and faculty, posted on the District's website where other policies, rules, and standards of conduct are posted, and listed in exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Plans should be periodically reviewed and amended to ensure the needs of all students continue to be met throughout the suspension of in-person learning. If a plan is amended, post the amended plan to the District website. [45]

Remote Learning Days (RLDs) – Remote learning is learning that happens outside of the traditional classroom because the student and teacher are separated by distance and/or time. Remote learning can be real-time or flexibility-timed, and it may or may not involve technology. School attendance days are days that the District

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[44] See question "How do Remote Learning Plans and E-Learning Plans differ?" in the Ill. State Board of Education (ISBE) Guidance Document, *Mandatory Suspension of In-Person Instruction Guidance for Illinois Schools and School Districts*, and its most recent updates at: www.isbe.net.

[45] See question "Can Remote Learning Plans be revised periodically to align with changing circumstances?" in the ISBE Guidance Document, *Mandatory Suspension of In-Person Instruction Guidance for Illinois Schools and School Districts*, and its most recent updates at: www.isbe.net.

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provides remote instruction to students. Once the State Superintendent of Education declares that the District must use remote learning days or blended remote learning days, the Superintendent implements these days in grades pre-kindergarten through 12 on days of attendance. These days are counted as pupil attendance days for calculation of the length of the District's official calendar under 105 ILCS 5/10-19 and 5/10-19.05. If a district has implemented an *e-learning program*, these school attendance days may be met through it. Five RLDs, taken consecutively or in separate increments, may be used to develop, review, or amend the District's Plan or provide professional development to staff about remote education; i.e., *Remote Learning Planning Days*. See 105 ILCS 5/10-30. [46]

Remote Learning Planning Days – Up to five consecutive or separate increment days that a district may use to develop, review, or amend its Plan or to provide professional development to staff about remote education. These days are counted as days of attendance and are pupil attendance days for calculation of the length of a school term under 105 ILCS 5/10-19 and 5/10-19.05. See 105 ILCS 5/10-30. [47]

Plan Development and Implementation

Use this Plan before, during, and after implementing 105 ILCS 5/10-30.

Consult the Board Attorney for guidance on this procedure.

Actor	Action
Board	If permitted by local resources and conditions, implement an e-learning program pursuant to 105 ILCS 5/10-20.56, amended by P.A.s 102-584, 102-697, and 103-780. If the Board decides not to implement an e-learning program in the District, provides the Superintendent with the resources necessary to implement a Remote and/or Blended Remote Learning Day Plan (Plan) that meets the needs of all students. 105 ILCS 5/10-30. Directs, through policy, the Superintendent to recommend any suspensions or amendments to policies to reduce any Board-required graduation or other instructional requirements in addition to the minimum requirements specified in School Code that the District was not able to complete due to a pandemic. 105 ILCS 5/10-16.7. Monitors Board policies 2:20, *Powers and Duties of the School Board; Indemnification*, 4:180, *Pandemic Preparedness; Management; and Recovery*, and 6:20, *School Year Calendar and Day*, 6:60, *Curriculum Content*, and 6:300, *Graduation Requirements* (if applicable), and makes changes recommended by the Superintendent. See Board policy 2:240, *Board Policy Development*. Considers all policy changes recommended by the Superintendent pursuant to Board policy 2:240, *Board Policy Development*, and included as a topic for discussion in the annual report required by Board policy 6:10, *Educational Philosophy and Objectives*.

[46] See questions "What is a Remote Learning Day on the school calendar?" and "How do Remote Learning Plans and E-Learning Plans differ?" in the archived ISBE Guidance Document, *Mandatory Suspension of In-Person Instruction Guidance for Illinois Schools and School Districts*, at: www.isbe.net/Pages/covid19.aspx.

[47] See question "What are Remote Learning Planning Days?" in the archived ISBE Guidance Document, *Mandatory Suspension of In-Person Instruction Guidance for Illinois Schools and School Districts*, at: www.isbe.net/Pages/covid19.aspx.

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Actor	Action
	Adopts the Superintendent-approved Plan for District-wide implementation. [48] Provides appropriate, additional resources requested by the Superintendent to successfully implement the Plan.
Board and Superintendent	Identify, discuss, modify, and monitor relevant Board policies that remote learning may possibly affect, including but not limited to: 4:130, *Free and Reduced-Price Food Services* 4:180, *Pandemic Preparedness; Management; and Recovery* 5:35, *Compliance with the Fair Labor Standards Act* 5:40, *Communicable and Chronic Infectious Disease* 5:180, *Temporary Illness or Temporary Incapacity* 5:185, *Family and Medical Leave* 5:200, *Terms and Conditions of Employment and Dismissal* 5:270, *Employment At-will, Compensation, and Assignment* 5:300, *Schedules and Employment Year* 5:330, *Sick Days, Vacation, Holidays and Leaves* 6:10, *Educational Philosophy and Objectives* 6:15, *School Accountability* 6:20, *School Year Calendar and Day* 6:30, *Organization of Instruction* 6:60, *Curriculum Content* 6:120, *Education of Children with Disabilities* 6:150, *Home and Hospital Instruction* 6:190, *Extracurricular and Co-Curricular Activities* 6:300, *Graduation Requirements* 7:70, *Attendance and Truancy* 7:280, *Communicable and Chronic Infectious Disease* 8:30, *Visitors to and Conduct on School Property* 8:100, *Relations with Other Organizations and Agencies*
Superintendent or Designee	When the District is required by the State Superintendent of Education to implement RLDs and/or BRLDs: 1. If an e-learning program is in place: a. Adapts it into a Plan by ensuring that the requirements for communicating the Plan, e.g., website posting, etc. are met; [49]

[48] See f/n 1, above.

[49] See f/n 3, above.

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Actor	Action
	b. Approves the Plan;[50] and c. Presents the Plan to the Board for adoption. [51] 2. If an e-learning program is not in place: a. Establishes a District-wide Remote Learning Committee[52] to design a Plan for implementation of RLDs and BRLDs. Committee members should include: District-level administrators Building Principals (Building Principals are mandatory for successful implementation of the Plan) Pandemic Planning Team member(s) District Safety Coordinator (see administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*, Part C, **District Safety Coordinator and Safety Team; Responsibilities**) District 504 Coordinator (see Board policy 6:120, *Education of Children with Disabilities*, and exhibit 6:120, AP1, E1 *Notice to Parents/Guardians Regarding Section 504 Rights*) Staff members [53] Parents/Guardians Students b. Chairs and convenes Committee[54] meetings. Manages virtual attendance by some or all Committee members when necessary. 3. Designates RLDs and/or BRLDs in grades pre-kindergarten through 12.

[50] See f/n 1, above.

[51] See f/ns 1 and 2, above.

[52] If a committee is not feasible in the district, the superintendent or designee must perform this function. See f/n 16, below.

[53] 105 ILCS 5/10-30(7) states that it does not increase or diminish any collective bargaining rights under existing law, and that aspects of the plan that impact the wages or other terms or conditions of employment will need to be bargained with the exclusive bargaining representative(s).

[54] This committee is optional. Establishing it is a best practice for aligning with governance principles and examining the many implementation issues specific to each individual school district. While smaller school districts, i.e., one-building districts, may be able to implement a Plan through one meeting, larger school districts will likely require the uniform coordination that this committee provides.

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Actor	Action
	4. Approves the Plan and presents it to the Board for adoption. [55] 5. Implements the Plan. 6. Ensures that the Plan is provided to students and faculty, posted on the District's website where other policies, rules, and standards of conduct are posted, and listed in exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. 7. Provides periodic reports to the Board about the Committee's progress and needs, along with any amendments to the Plan for the purposes of ensuring that it meets the needs of all students by adding information items to the Board's agendas as needed.
Remote Learning Committee [56]	Designs a Plan for the Superintendent's approval and Board's adoption to implement remote instruction through the District in a manner that: [57] 1. Explores what may work best for the school community using any remote learning guidance issued by the Ill. State Board of Education (ISBE), at: www.isbe.net/Pages/covid19.aspx. 2. Potentially uses Remote Learning Planning Days consecutively or in separate increments to develop, review, or amend this Plan or provide professional development to staff about remote education; [58] If the District does not have an e-learning program, includes design in the Plan for implementation of remote instruction that also provides: 1. Accessibility of remote instruction to all students enrolled in the District; 2. Hybrid RLDs and BRLDs, as directed or allowed by the ISBE; 3. Activities for both RLDs and BRLDs that align with State learning standards and Board policies[59] 6:10, *Educational Philosophy and Objectives*, 6:15, *School Accountability*, 6:30, *Organization of Instruction*, 6:60, *Curriculum Content*, and 6:300, *Graduation Requirements*, if applicable;

[55] See f/n 1, above.

[56] As much of the work of developing a plan is administrative/staff work rather than governance work, best practice is for the remote learning committee to operate as an administrative committee. Consult the board attorney for guidance, and see also f/n 1 in sample policy 2:150, *Committees* for a discussion of Open Meetings Act implications of a remote learning committee being a board committee.

[57] 105 ILCS 5/10-30(4) and see f/n 1, above.

[58] While remote learning planning days do not need to be accounted for in the plan itself, the committee may want to address the fact that the district may use up to five RLDs and/or BRLDs may be counted as pupil attendance days for calculation of the length of a school term under 105 ILCS 5/10-19. 105 ILCS 5/10-30(3).

[59] 105 ILCS 5/10-30(8) does not excuse districts from completing all statutory and regulatory curricular mandates and offerings when RLD/BRLD are required. All statutory and regulatory curricular mandates and offerings may be administered through a district's RLD/BRLD plan(s), except that a district may not offer individual behind-the-wheel instruction 105 ILCS 5/ 27-24.2 in its plan(s). Id.

While 105 ILCS 5/10-30 explicitly prohibits behind-the-wheel instruction for RLDs/BRLDs, during the COVID-19 pandemic, joint ISBE and Ill. Dept. of Public Health (IDPH) guidance focused on allowable in-person instruction activities, one of which included behind-the-wheel instruction.

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Actor	Action
	4. Communication between students and teacher(s),[60] as necessary to align with the requirements of Board policy 7:340, *Student Records*; [61] 5. Methods to address the unique needs of students in special populations, including, but not limited to, students eligible for special education under 105 ILCS 5/14-1.01 et seq., students who are English learners as defined in 105 ILCS 5/14C-2, and students experiencing homelessness under the Education for Homeless Children Act (105 ILCS 45/), or vulnerable student populations; 6. Guidance for how the District will take attendance and monitor and verify each student's remote participation; and 7. Resources for transitions from remote learning to in-person instruction when the State Superintendent declares that RLDs and/or BRLDs are no longer deemed necessary. Delivers the Plan to the Superintendent for approval[62] in a format that is easily posted on the District's website. Periodically reviews and amends the Plan, with the Superintendent as needed, to ensure it meets the needs of all students. 105 ILCS 5/10-30(5). Recommends to the Board, through the Superintendent, any policy changes for consideration. See Board policy 2:240, *Board Policy Development*. Reports reviews and amendments to the Plan to the Superintendent or designee.
All Staff [63]	Implements the Plan.

LEGAL REF.: 105 ILCS 5/10-30.

[60] 105 ILCS 5/10-30(4)(iii).

[61] The second part of this sentence is not in 105 ILCS 5/10-30, but is still required by State and federal law.

[62] See f/n 1, above.

[63] See f/n 16, above.

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Group 3

Instruction

Curriculum Content [355]

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

1. In kindergarten through grade 8, subjects include: (a) language arts, (b) reading,[356] (c) other communication skills, (d) science, (e) mathematics[357], (f) social studies, (g) art, (h) music,[358] and (i) drug and substance abuse prevention including the dangers of opioid abuse.[359] 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.[360] Daily time of at least 30 minutes (with a minimum of at least 15 consecutive minutes if divided) will be provided for supervised, unstructured, child-directed play for all students in kindergarten through grade 5.[361] Before the

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[355] Districts must have a policy on physical education (23 Ill.Admin.Code §1.425) and what grade level(s) students will be offered cursive writing instruction (105 ILCS 5/27-20.7). Policies on the remaining topics in this policy are optional. State or federal law controls this policy's content. 23 Ill.Admin.Code §1.410. recommends that activities, including student internships and observations of government in action, be a part of the instructional program where appropriate.

State law mandates certain courses of study but local school boards may set requirements exceeding State-law mandated courses of study. 105 ILCS 5/10-20.8 and 5/27-1 et seq. For a resource on instructional mandates, see *Illinois Instructional Mandates* (formerly *Mandated Units of Study*), at: www.isbe.net/Pages/Learning-Standards.aspx, under the Administrator Resources tab.

[356] 105 ILCS 5/2-3.200, added by P.A. 103-402 and renumbered by P.A. 103-605, required the Ill. State Board of Education (ISBE) to develop a Statewide literacy plan by 1-31-24, make certain resources and guidance on literacy curriculum and instruction available to schools by 7-1-24, and offer training opportunities for teachers by 7-1-25. For further information and resources, see www.isbe.net/literacyplan.

[357] 105 ILCS 5/2-3.156 requires ISBE to coordinate, adapt and develop middle and high school math curriculum models. There is no consistent definition for *middle school or high school* in either State or federal law. Districts are not required to use ISBE's models and may develop their own mathematics curricula.

The purpose of the math curriculum models will be to aid school districts and teachers in implementing the *Common Core Standards*. ISBE adopted math and English language arts (ELA) standards for K-12 education referred to as the *New Ill. State Learning Standards Incorporating the Common Core*. The goal of incorporating the *Common Core Standards* into the *State Goals for Learning and Learning Standards* is to better prepare Ill. students for success in college and the workforce in a competitive global economy. See www.isbe.net/Documents/cc-overview-0913.pdf.

The terms *Common Core Standards* and the *New Ill. State Learning Standards Incorporating the Common Core* are synonymous. Referencing the Ill. Learning Standards includes them both. That is because they are incorporated by reference into ISBE's rules and *State Goals for Learning and Learning Standards*. A district that wants to include the term *Common Core Standards* in its policy may do so; however, districts should understand that referring to the *Common Core Standards* only will cover only math and ELA learning standards and goals and not any other subject areas that the *Ill. Learning Standards cover*. The best practice is to continue using *Ill. Learning Standards*, which includes the *Common Core Standards*.

[358] 23 Ill.Admin.Code §1.430(a).

[359] 105 ILCS 5/27-13.2. See also f/n 33, below, regarding instruction on the dangers of fentanyl.

[360] 105 ILCS 5/10-20.53.

[361] 105 ILCS 5/27-6.3, added by P.A. 102-357. Schools must provide at least 30 minutes of play time for any school day five clock hours or longer in length. For any school days less than that, the total time allotted during the school day must be at least one-tenth of a day of attendance for the student. Time spent dressing or undressing for outdoor play may not count towards the daily time allotment. Play time must be computer-, tablet-, phone-, and video-free. Play time may be withheld as a disciplinary or punitive action only if a student's participation poses an immediate threat to the safety of the student or others. Id. For ISBE guidance and resources, see www.isbe.net/Pages/School-Health-Issues.aspx (Unstructured Play Time/Recess dropdown).

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completion of grade 5, students will be offered at least one unit of cursive instruction.[362] In grades 6, 7, or 8, students must receive at least one semester of civics education in accordance with Illinois Learning Standards for social science.[363]

2. In grades 9 through 12, subjects include:[364] (a) language arts, (b) writing intensive courses, (c) science, (d) mathematics,[365] (e) social studies including U.S. history, American government and one semester of civics,[366] (f) foreign language,[367] (g) music, (h) art, (i) driver and safety education,[368] and (j) vocational education.

   Students otherwise eligible to take a driver education course must receive a passing grade in at least eight courses during the previous two semesters before enrolling in the course. The Superintendent or designee may waive this requirement if he or she believes a waiver to be in the student's best interest.[369] The course shall include: (a) instruction necessary for the safe operation of motor vehicles, including

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[362] 105 ILCS 5/27-20.7 requires districts to offer students a unit of cursive instruction before they complete grade 5. 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 wants to specify 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) _____.

[363] 105 ILCS 5/27-3.10. The statute specifically states that school districts may utilize private funding available for offering civics education.

[364] 105 ILCS 5/27-22, amended by P.A.s 102-366, 102-551, 102-864, and 103-743; 23 Ill.Admin.Code §1.440. ISBE may adopt rules to modify these requirements for students in grades 9 through 12 if the Governor declares a disaster due to a public health emergency pursuant to 20 ILCS 3305/7. 105 ILCS 5/27-22(e)(3.5), amended by P.A. 102-864, and 5/27-22(e-5)(3.5), added by P.A. 102-864, requires "a year of a course that includes intensive instruction in computer literacy, which may be English, social studies, or any other subject." Because computer literacy may be included within another subject, it is not listed here, but in number 6 of this policy with f/n 26, below.

[365] 105 ILCS 5/2-3.156. See f/n 2.

105 ILCS 5/27-22(e-5)(3) allows the substitution of an advanced placement computer science course for a year of mathematics. For specific requirements, see sample exhibit 6:300-E2, *State Law Graduation Requirements*, and sample policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-entering Students*.

[366] 105 ILCS 5/27-22(e-5)(5). The statute specifically states that school districts may utilize private funding available for offering civics education.

[367] The General Assembly encouraged school boards to implement American Sign Language courses into the school foreign language curriculum. 105 ILCS 5/10-20.52. Senate Joint Resolution 68 (96th General Assembly, 2010) encourages school districts to explore the introduction of Arabic as a foreign language in their curriculums.

[368] The ISBE rule on driver education personnel is found at 23 Ill.Admin.Code §252.40. School districts may contract with a commercial driver training school (CDTS) for driver education. 105 ILCS 5/27-24.2. To qualify to contract with a school district, a CDTS must: (a) hold a valid license issued by the Ill. Sec. of State; (b) provide teachers who meet the educator licensure and endorsement requirements under 105 ILCS 5/21B; and (c) follow the same evaluation and observation requirements that apply to non-tenured teachers under 105 ILCS 5/24A. Id. A district contracting with a CDTS must provide a list to ISBE of the CDTS instructors. Id. The list must include the name, personal ISBE identification number, birth date and driver's license number of each instructor who will teach driver education. Id. Although a formal waiver for outsourcing of driver's education is no longer required, districts must consider their applicable collective bargaining agreement(s), board policy, and the reduction in force (RIF) provisions of the School Code as they relate to outsourcing of instructional staff. Consult the board attorney for guidance.

A school district may decide to allow a student to take a portion of the driver education course through a distance learning course. This is determined on a case-by-case basis and must be approved by the district's administration, the student's driver's education teacher, and the student's parent/guardian. 105 ILCS 5/27-24.2; 23 Ill.Admin.Code §252.20(c)(2).

[369] 105 ILCS 5/27-24.1, amended by P.A. 102-455, and 5/27-24.2; 23 Ill.Admin.Code §252.25.

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motorcycles, to the extent that they can be taught in the classroom,[370] (b) classroom instruction on distracted driving as a major traffic safety issue,[371] (c) instruction on required safety and driving precautions that must be observed at emergency situations, highway construction and maintenance zones, including worker safety in those zones, and railroad crossings and their approaches,[372] and (d) instruction concerning law enforcement procedures for traffic stops, including a demonstration of the proper actions to be taken during a traffic stop and appropriate interactions with law enforcement.[373] Automobile safety instruction covering traffic regulations and highway safety must include instruction on the consequences of alcohol consumption and the operation of a motor vehicle.[374] The eligibility requirements contained in State law for the receipt of a certificate of completion from the Secretary of State shall be provided to students in writing at the time of their registration.[375]

3. In grades 7 through 12, as well as in interscholastic athletic programs, steroid abuse prevention must be taught.[376]
4. In kindergarten through grade 12, 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.[377] In addition, anti-bias education and intergroup conflict resolution may be taught as an effective method for preventing violence and lessening tensions in schools; these prevention methods are most effective when they are respectful of individuals and their divergent

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370 105 ILCS 5/27-24.1, amended by P.A. 102-455, and 5/27-24.2.

371 Id.

372 Id., amended by P.A. 103-944.

373 Id.

374 Required if a board offers safety education under 105 ILCS 5/27-17.

375 The Ill. Vehicle Code, 625 ILCS 5/6-408.5, amended by P.A. 102-1100, contains these requirements; they are paraphrased below.

Before a certificate of completion will be requested from the Secretary of State, a student must receive a passing grade in at least eight courses during the two semesters last ending before requesting the certificate. A certificate of completion will not be requested for any person less than 18 years of age who has dropped out of school unless the individual provides:

1. Written verification of his or her enrollment in a high school equivalency or alternative education program or a State of Illinois High School Diploma (formerly GED certificate);
2. Written verification that before dropping out, the individual had received passing grades in at least eight courses during the two previous semesters last ending before requesting a certificate;
3. Written consent from the individual's parent/guardian and the Regional Superintendent (or appropriate Intermediate Service Center Executive Director); or
4. Written waiver from the Superintendent of the School District in which the individual resides or resided at the time he or she dropped out of school, or from the chief school administrator with respect to a dropout who attended a non-public high school. A waiver may be given if the Superintendent or chief administrator deems it to be in the individual's best interests.

376 105 ILCS 5/27-23.3.

377 105 ILCS 5/27-23.4.

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viewpoints and religious beliefs, which are protected by the First Amendment to the Constitution of the United States. [378]

5. In grades kindergarten through 12, age-appropriate Internet safety must be taught, the scope of which shall be determined by the Superintendent or designee. The curriculum must incorporate Board 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. [379]
6. In all grades, students must receive developmentally appropriate opportunities to gain computer literacy skills that are embedded in the curriculum. [380]
7. In all grades, character education must be taught including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage.[381] Instruction in all grades will include examples of behaviors that violate Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment.* [382]

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[378] Optional. 105 ILCS 5/27-23.6 (anti-bias education), amended by P.A. 103-542, allows districts to incorporate activities to address intergroup conflict, with the objectives of improving intergroup relations on and beyond the school campus, defusing intergroup tensions, and promoting peaceful resolution of conflict.

Boards that adopt a policy to incorporate activities to address intergroup conflict pursuant to this law must make information available to the public that describes the manner in which the district has implemented the activities. Methods for making this information available include: the district's website, if any, and in the district's offices upon request. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Districts may also include the information in a student handbook and in district newsletters. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, Online Model Student Handbook (MSH), at: www.ilprincipals.org/msh.

See f/n 12 in sample policy 6:180, *Extended Instructional Programs*, and ensure that these policies align.

[379] 47 C.F.R. §54.520 and 105 ILCS 5/27-13.3 control this section. "Grades kindergarten through 12" is used because federal law requires school districts that receive E-rate funding to certify that they have an Internet safety education policy for all minors. 47 C.F.R. §54.520(c)(1)(i). This federal law defines minors as any individual who has not attained the age of 17 years. 47 C.F.R. §54.520(a)(4)(i).

105 ILCS 5/27-13.3 only requires a unit on Internet safety for students in grades 3 or above. It recommends seven topics for the unit on Internet safety and required ISBE to "make available resource materials for educating children regarding child online safety." See www.isbe.net/Pages/Internet-Safety.aspx. It also invites schools to "adopt an age-appropriate curriculum for Internet safety instruction of students in grades kindergarten through 12."

For boards that do not receive E-rate funds and do not want to exceed the requirements of the School Code, replace this section with the following sentence:

In grades 3 or above, the curriculum contains a unit on Internet safety, the scope of which shall be determined by the Superintendent or designee.

For boards that do not receive E-rate funds, but want to exceed the requirements of 105 ILCS 5/27-13.3 to include grades K-2, replace this section with the following sentences:

In grades 3 or above, the curriculum contains a unit on Internet safety, the scope of which shall be determined by the Superintendent or designee. In kindergarten through grade 2, age-appropriate Internet safety must be taught.

[380] 105 ILCS 5/10-20.79, 5/10-20.74, and 5/27-22(e-5)(3.5), amended by P.A. 102-894, and 5/27-22(e-5)(3.5), added by P.A. 102-894. 105 ILCS 5/10-20.74 requires that districts submit an annual report to ISBE regarding educational technology capacities and policies. See the subhead **Educational Technology Committee** and f/n 20 in sample administrative procedure 2:150-AP, *Superintendent Committees*.

[381] 105 ILCS 5/27-12.

[382] Required as part of a district's Bullying Prevention and Response Plan pursuant to 105 ILCS 5/27-23.7. Because of the negative outcomes associated with bullying in schools, the Ill. General Assembly has found "that [school districts] should educate students, parents, and [school district personnel] about what behaviors constitute prohibited bullying." 105 ILCS 5/27-23.7(a). This language aligns with sample policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.

The Ill. General Assembly invited boards to "make suitable provisions for instruction in gang resistance education in all grades and include such instruction in the courses of study regularly taught in those grades." See 105 ILCS 5/27-23.10(c), amended by P.A. 103-542. A board that shares this concern may add the following option: "In addition, in all grades gang resistance education must be taught."

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8. In all schools, citizenship values must be taught, including: (a) American patriotism, (b) principles of representative government (the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois), (c) proper use and display of the American flag, (d) the Pledge of Allegiance, and (e) the voting process.[383]
9. 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,[384] but at a minimum of three days per five-day week.[385] For exemptions and substitutions, see Board policies 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students* and 7:260, *Exemption from Physical Education*.[386]
10. In all schools, health education must be stressed, including[387]: (a) proper nutrition, (b) physical fitness, (c) personal health habits, (d) dangers and avoidance of abduction, (e) age-appropriate and evidence-

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383 105 ILCS 5/27-3 requires the Pledge of Allegiance to be recited every day in elementary and secondary schools. See also Palmer v. City of Chicago, 466 F. Supp. 600 (N.D. Ill. 1979) (teacher would not teach and direct the Pledge of Allegiance to the flag of the United States for religious reasons and was terminated for not doing so because it was part of the curriculum). Requirements for displaying a U.S. flag at each school and in each classroom are found in 5 ILCS 465/3 and 465/3a.

Note that the Illinois statute does not require every student to recite the *Pledge* – that kind of mandatory participation would violate the U.S. Constitution. Schools may not coerce a student into saying the Pledge, nor may they punish students for refusing to participate in any aspect of the flag ritual, including standing, saluting the flag, and reciting the *Pledge*. West Virginia State Bd. of Educ. v. Barnette, 319 U.S. 624 (1943); Sherman v. Cmty. Consol. Sch. Dist. 21 of Wheeling Twp., 980 F.2d 437 (7th Cir. 1992). Consider using permissive rather than mandatory language to introduce the recitation of the *Pledge*, such as, "You may now stand to recite the *Pledge*." Schools may, of course, require that non-participants maintain order and decorum appropriate to the school environment.

384 The phrase "after recommendation by the Superintendent" is optional. If a superintendent does not bring this topic to the board for discussion, the board may not have a trigger to make the determination.

385 23 Ill.Admin.Code §1.425(b). Boards that want their daily physical education requirement to align with their goal in policy 6:50, *School Wellness*, may replace "minimum of three days per five-day week" with their local daily requirements. See f/n 10 in sample policy 6:50, *School Wellness*.

386 105 ILCS 5/27-5 requires school boards to provide for students' physical education and allows the P.E. course offered in grades 5 through 10 to include the health education courses required by the Critical Health Problems and Comprehensive Health Education Act (105 ILCS 110/). See also 23 Ill.Admin.Code §1.425(c).

105 ILCS 5/27-6, describes when students may be excused from P.E. See also 23 Ill.Admin.Code §1.425(d).

105 ILCS 5/27-6 contains an exception to the minimum of three days per five-day week P.E. requirement for schools engaged in block scheduling; if this is applicable, substitute this sentence for the second-to-last sentence in this paragraph:

Unless otherwise exempted, all students are required to engage with such frequency as determined by the Board, but at a minimum of three days per five-day week, during the school day, except on block scheduled days, in a physical education course.

105 ILCS 5/27-6.5 describes physical fitness assessments required every school year for grades 3-12 in an effort to meet State Goal 20 of the Illinois Learning Standards for Physical Development and Health at: www.isbe.net/Pages/Enhanced-Physical-Education.aspx.

See also 23 Ill.Admin.Code §1.425(g) and (h); ISBE's *IL Fitness Assessments and Data Reporting Requirements Questions and Answers (Rev. 2017)* at: www.isbe.net/Documents/Physical_Fitness_Assessment_FAQ.pdf.

105 ILCS 5/27-7 describes the goals and requirements for P.E. courses; these are re-stated in this sample policy.

387 Citations for letters (a) - (f), required by the Comprehensive Health Education Program (CHEP) (105 ILCS 110/3) in this paragraph follow:

(a) 105 ILCS 5/2-3.139 and 105 ILCS 5/27-7 (proper nutrition) and see also sample policy 6:50, *School Wellness*.
(b) Id. (physical fitness) and see also sample policy 6:50, *School Wellness*.
(c) Id. (healthy habits and attitudes for a healthy lifestyle).

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informed sexual abuse and assault awareness and prevention education in all grades,[388] and (f) in grades 6-12, the dangers of fentanyl. The Superintendent shall implement a comprehensive health education program in accordance with State law. [389]

(d) 105 ILCS 5/27-13.2 (dangers and avoidance of abduction). The Ill. State Police and ISBE must develop instruction on child abduction prevention. 20 ILCS 2605/2605-480.

(e) 105 ILCS 110/3 and 105 ILCS 5/10-23.13, amended by P.A. 102-610 a/k/a *Erin's Law* (child sexual abuse prevention). While 105 ILCS 5/10-23.13(b) states pre-K through 12th, this policy uses *all grades* for brevity and ease of administration. *Erin's Law* requires a policy addressing child sexual abuse prevention and curriculum content on that subject (see sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*). A sentence in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*, restates the basic recommendations from page 16 of the *Erin's Law* Taskforce Final Report (Report) to Governor Quinn at: www.isbe.net/Documents/erins-law-final0512.pdf, which was the basis for P.A. 102-676. The professional educator training component of *Erin's Law* is addressed in sample policies 5:90, *Abused and Neglected Child Reporting* and 5:100, *Staff Development Program*. The Report also encouraged parental involvement because parents play a key role in protecting children from child sexual abuse.

(f) 105 ILCS 110/3(e), amended by P.A. 103-810 (dangers of fentanyl).

388 See f/n 11 in sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, for a definition of *evidence-informed*. 105 ILCS 5/10-23.13, amended by P.A. 102-610.

389 105 ILCS 110/3, amended by P.A.s 102-464, 102-1034, 103-212, 103-365, and 103-608; and 23 Ill.Admin.Code §1.420(n). Each school system shall provide a program in compliance CHEP, 105 ILCS 110/.

More detailed critical health problems and comprehensive health education program content is described in sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*. That procedure follows CHEP, 105 ILCS 110/3, amended by P.A.s 102-464, 102-1034, 103-212, 103-365, and 103-608, and it formerly included the requirements for the development of the now-repealed family life and sex education programs in 105 ILCS 5/27-9.1 and 9.2, amended by P.A. 102-412 and repealed by P.A. 102-522.

The former family life and sex education programs were replaced with the National Sex Education Standards (NSES) (105 ILCS 5/27-9.1a, added by P.A. 102-522) and a developmentally appropriate consent education curriculum (105 ILCS 5/27-9.1b, added by P.A. 102-522). But the term *family life*, "including evidence-based and medically accurate information regarding sexual abstinence," remains in the CHEP. The CHEP also includes many other health education topics that all elementary and secondary schools in Illinois must provide, including teen dating violence (105 ILCS 110/3.10, see sample policy 7:185, *Teen Dating Violence Prohibited*, for the required "teen dating violence policy") and cardiopulmonary resuscitation and automated external defibrillator use. 105 ILCS 110/3. For ease of administration, sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*, content includes reference to the new NSES curriculum that is outlined in more detail at sample administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*. 105 ILCS 5/27-9.1a, added by P.A. 102-522. ISBE's learning standards and resources are available at www.isbe.net/sexualhealth, however, no guidance exists about whether districts that provide the now-repealed family life and sex education programs formerly in 105 ILCS 5/27-9.1 and 9.2, repealed by P.A. 102-522, could continue to do so. Consult the board attorney if the district offered the now-repealed family life and sex education program to assess whether that program may continue during future school years.

Two choices exist for school boards related to providing students with a sex education curriculum:

1. No sex education; or
2. NSES a/k/a Comprehensive Personal Health and Safety and Sexual Health Education Program (105 ILCS 5/27-9.1a, added by P.A. 102-522, and see sample administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*).

While boards are not required to include sex education curriculum information in their policies, if they offer it, the new law requires them to identify the curriculum their districts use along with the name and contact information, including an email address, of a school staff member who can respond to inquiries about instruction and materials. 105 ILCS 5/27-9.1a, added by P.A. 102-522. Methods for making this information available include: the district's website, if any, and in the district's offices upon request. See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

For boards that do offer NSES but do not wish to communicate it in this policy, ensure that superintendents: (1) identify the curriculum along with the name and contact information, including an email address of the school staff member designated to respond to inquiries about instruction and materials (see sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*); and (2) implement both administrative procedures 6:60-AP1, *Comprehensive Health Education Program*, and 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

For boards that want to communicate to their communities in this policy that they offer NSES, insert the following text into the last sentence in number 10:

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11. 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.[390] In grades 6-12, students engage in career exploration and career development activities to prepare them to make informed plans and decisions about their future education and career goals.[391] In grades 9-12, a College

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The Superintendent shall implement a comprehensive health education program in accordance with State law, including a personal health and safety and sexual health education program (National Sex Education Standards) pursuant to 105 ILCS 5/27-9.1a.

Legal Reference insertions are not necessary with the statute in the text of the policy. Ensure: (1) the implementation of both administrative procedure 6:60-AP1, *Comprehensive Health Education Program* and administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*, align with this policy; and (2) that the superintendent identifies the curriculum along with the name and contact information, including an email address of the school staff member designated to respond to inquiries about instruction and materials (see sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*).

For boards that communicated NSES in this policy and also want to communicate that they additionally offer developmentally appropriate consent education curriculum, insert the following sentence as the last sentence of the number 10 paragraph:

The Superintendent shall also implement a developmentally appropriate consent education curriculum pursuant to 105 ILCS 5/27-9.1b.

Legal Reference insertion is not necessary with the statute in the text of the policy. Ensure the implementation of administrative procedure 6:60-AP3, *Developmentally Appropriate Consent Education*, aligns with this policy.

For boards that do offer NSES and do not communicate that in policy AND/OR boards that do not offer NSES, but want to communicate that they offer developmentally appropriate consent education curriculum, insert the following text into the last sentence in number 10:

The Superintendent shall implement a comprehensive health education program in accordance with State law, including a developmentally appropriate consent education curriculum pursuant to 105 ILCS 5/27-9.1b.

Legal Reference insertion is not necessary with the statute in the text of the policy. Ensure that implementation of 6:60-AP3, *Developmentally Appropriate Consent Education*, aligns with this policy.

[390] 23 Ill.Admin.Code §1.420(i). See 105 ILCS 435/, Vocational Education Act

A unit or high school district may offer workplace preparation instruction in grades 9 through 12 that covers legal protections in the workplace, including protection against sexual harassment and racial and other forms of discrimination and protections for employees. 105 ILCS 5/27-23.14.

For high school and unit boards, insert "5/27-23.14," after 105 ILCS 5/27-23.11 in the Legal References or if a board offers a course on hunting safety as part of its curriculum during the school day (see the option in f/n 55 below), after its Legal Reference 105 ILCS 5/27-23.13, and the following text to the end of number 11 if the board wants to offer workplace preparation instruction:

In grades 9-12, workplace preparation instruction will be offered, covering legal protections in the workplace, including protection against sexual harassment and racial and other forms of discrimination and protections for employees.

105 ILCS 5/27-23.17 (final citation pending), added by P.A. 103-598, allows high schools to designate and annually observe a Workplace Readiness Week. If the week is observed, students must be provided information on their rights as workers in accordance with the topics listed in 105 ILCS 5/27-23.17(a) (final citation pending), added by P.A. 103-598. Students in grades 11 and 12 must be provided the required information within the regular school program, but it may also be provided during special events after regular school hours. Id. at (b).

[391] 105 ILCS 5/10-20.84(a), added by P.A. 102-917 and renumbered by P.A. 103-154. For elementary districts, revise the grade levels to grades 6-8. Unless a board has opted out, career exploration and career development activities in grades 6-12 (or grades 6-8 in elementary districts) must be implemented by 7-1-25 in accordance with the model framework adopted by State agencies known as the PaCE Framework. See www.isac.org/pace/il-pace-resource-materials.html for the middle school and high school frameworks and additional implementation resources.

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and Career Pathway Endorsement is awarded to students who meet the requirements for a specific endorsement area.[392]

12. In grades 9 through 12, consumer education must be taught, including: (a) financial literacy, including consumer debt and installment purchasing (including credit scoring, managing credit debt, and

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To fully or partially opt out of career exploration and career development activities under 105 ILCS 5/10-20.84(d), a board must adopt a set of findings that considers the following: (1) the district's current systems for college and career readiness; (2) the district's cost of implementation balanced against the potential benefits to students and families through improved postsecondary education and career outcomes; (3) the willingness and capacity of local businesses to partner with the district for successful implementation of pathways other than education; (4) the willingness of institutions of higher education to partner with the district for successful implementation of the pathway and whether the district has sought and established a partnership agreement with a community college district incorporating provisions of the Model Partnership Agreement under the Dual Credit Quality Act (110 ILCS 27/) (see www.isbe.net/Documents/DCQA-Model-Partnership-Agreement-Form.pdf); (5) the availability of a statewide database of participating local business partners, as provided under the Postsecondary and Workforce Readiness Act (110 ILCS 148/), for the purpose of career readiness and the accessibility of those work experiences and apprenticeships listed in the database to district students (see the link to the *Work-based Learning Database* at www.isbe.net/cte); and (6) the availability of properly licensed teachers or teachers meeting faculty credential standards for dual credit courses to instruct in the program required for the endorsement areas. 105 ILCS 5/10-20.84(d)(1)-(6), added by P.A. 102-917 and renumbered by P.A. 103-154. A board opting out must report its findings and decision to ISBE. A board may also reverse its decision regarding implementation in whole or in part at any time. 105 ILCS 5/10-20.84(d), added by P.A. 102-917 and renumbered by P.A. 103-154.

In practice, unless a district has created its own career exploration and career development activities framework that does not align with the PaCE Framework, a board is unlikely to opt out of the PaCE Framework under 105 ILCS 5/10-20.84(a) and still implement College and Career Pathway Endorsements under 105 ILS 5/10-20.84(c) (CCPE) because career exploration activities are a prerequisite to award of the endorsements. 23 Ill.Admin.Code §258.20. See f/n 38, below.

Delete this sentence if the board has fully opted out of implementation of career exploration and career development activities under 105 ILCS 5/10-20.84(d), added by P.A. 102-917 and renumbered by P.A. 103-154. Regarding partial opt-out from this requirement, the law does not address the types of partial opt-out(s) available. As of the date of the publication of **PRESS** Issue 117 (Oct. 2024), ISBE had not issued any rulemaking or guidance on this topic or any details regarding reporting of a full or partial opt-out to ISBE, other than to indicate to IASB that districts can submit their decision to CTE@isbe.net. Boards interested in opting out from this requirement should consult the Board attorney and check for any further guidance that may be issued by ISBE.

[392] 105 ILCS 5/10-20.84(b) and (c), added by P.A. 102-917 and renumbered by P.A. 103-154; 23 Ill.Admin.Code Part 258.

By 7-1-25, a board must elect to either implement CCPE or take action to opt out of it. See www.isbe.net/pathwayendorsements for more information. 105 ILCS 5/10-20.84(c) requires a district to implement CCPE either independently, through an area career center, or through an inter-district cooperative, on the following schedule: (1) at least one endorsement area for the graduating class of 2027; (2) at least two endorsement areas for the graduating class of 2029; and (3) at least three endorsement areas for the graduating class of 2031, if a district 's grade 9-12 enrollment is more than 350 students, as calculated by ISBE for the 2022-2023 school year. A board implementing CCPE must, by 7-1-25, submit the necessary application materials (including an Endorsement Plan, see 23 Ill.Admin.Code §258.20) to ISBE, or the board must adopt a timeline for implementation of the number of endorsement areas required by 105 ILCS 5/10-20.84(c). A board may opt out of implementing CCPE entirely or it may initially implement an endorsement area for the class of 2027 and then later choose to partially opt out by opting out of the class of 2029 and/or class of 2031 endorsement area schedule. 105 ILCS 5/10-20.84(c) and (d), added by P.A. 102-917 and renumbered by P.A. 103-154; 23 Ill.Admin.Code §258.40(a) and (b). A board that chooses to fully opt out of CCPE must submit documentation of its decision and specific findings to ISBE by 7-1-25. A board that later chooses to partially opt out of CCPE by opting out of the 2029 and/or 2031 endorsement area schedule must submit documentation of its decision and specific findings no later than July 1 immediately before the school year the district would be required to award the endorsement. Id. at (b).

If fully opting out of CCPE by 7-1-25 or later partially opting out of the 2029 and/or 2031 endorsement area schedule, a board must adopt a set of findings that considers the six factors described in f/n 37, above. 105 ILCS 5/10-20.84(d)(1)-(6), added by P.A. 102-917 and renumbered by P.A. 103-154. A board opting out must report its findings and decision on implementation by submitting the following information to ISBE, via the College and Career Pathway Endorsement portal: (1) the reasoning for opting out, and (2) copies of the board's meeting agenda, board findings, and board meeting minutes. 23 Ill.Admin.Code §258.40(a). A board can manage compliance with the documentation requirements by adopting a written resolution or adopting findings set forth in another document. A board may also reverse its decision regarding implementation of CCPE in whole or in part at any time. 105 ILCS 5/10-20.84(d), added by P.A. 102-917 and renumbered by P.A. 103-154.

Delete this sentence if a board has fully opted out of implementing CCPE, and delete 105 ILCS 5/10-20.84 from the Legal References if the board has fully opted out of CCPE *and* also fully opted out of the career exploration and career development activities in grades 6-12 (see f/n 37, above).

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completing a loan application); budgeting; savings and investing; banking (including balancing a checkbook, opening a deposit account, and the use of interest rates); understanding simple contracts; State and federal income taxes; personal insurance policies; the comparison of prices; higher education student loans; identity-theft security; and homeownership (including the basic process of obtaining a mortgage and the concepts of fixed and adjustable rate mortgages, subprime loans, and predatory lending); and (b) the roles of consumers interacting with agriculture, business, labor unions and government in formulating and achieving the goals of the mixed free enterprise system.[393] [394]

13. In grades 9 through 12, intensive instruction in computer literacy, which may be included as a part of English, social studies, or any other subject.[395]
14. In grades 9 through 12, a unit of instruction on media literacy that includes, but is not limited to, all of the following topics: (a) accessing information to evaluate multiple media platforms and better understand the general landscape and economics of the platforms, and issues regarding the trustworthiness of the source of information; (b) analyzing and evaluating media messages to deconstruct media representations according to the authors, target audience, techniques, agenda setting, stereotypes, and authenticity to distinguish fact from opinion; (c) creating media to convey a coherent message using multimodal practices to a specific target audience that includes, but is not limited to, writing blogs, composing songs, designing video games, producing podcasts, making videos, or coding a mobile or software application; (d) reflecting on media consumption to assess how media affects the consumption of information and how it triggers emotions and behavior; and (e) social responsibility and civics to suggest a plan of action in the class, school, or community for engaging others in a respectful, thoughtful, and inclusive dialogue over a specific issue using facts and reason.[396]
15. In grades 9 through 12, an opportunity for students to take at least one computer science course aligned to Illinois learning standards. Computer science means the study of computers and algorithms, including their principles, hardware and software designs, implementation, and impact on society. Computer science does not include the study of everyday uses of computers and computer applications; e.g., keyboarding or accessing the Internet.[397]

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[393] 105 ILCS 5/27-12.1; 23 Ill.Admin.Code §1.420(k).

[394] For high school and unit boards that want to offer a unit of instruction about the process of naturalization pursuant to 105 ILCS 5/27-23.16, added by P.A. 102-472 and renumbered by P.A. 102-813, insert an optional number 13, and amend numbers after it accordingly:

13. In grades 9 through 12, a unit of instruction about the process of naturalization by which a foreign citizen or foreign national becomes a U.S. citizen that includes content from the components of the naturalization test administered by the U.S. Citizenship and Immigration Services.

[395] 105 ILCS 5/27-22(e-5)(3.5). ISBE states that *computer literacy* is broadly defined as one's knowledge of an ability to use computers and related technologies efficiently and effectively. See www.isbe.net/keeplearning for more ISBE guidance on computer literacy.

[396] 105 ILCS 5/27-20.08, added by P.A. 102-55. *Media literacy* means the ability to access, analyze, evaluate, create, and communicate using a variety of objective forms, including, but not limited to, print, visual, audio, interactive, and digital texts. For additional resources, see www.isbe.net/keeplearning.

[397] 105 ILCS 5/27-23.15(b). Subject to appropriation, school districts can apply for a competitive grant to support computer science programs. 105 ILCS 5/2-3.199, added by P.A. 103-264 and renumbered by P.A. 103-605.

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16. In all schools, environmental education, including instruction on: (a) the current problems and needs in the conservation of natural resources and (b) beginning in the fall of 2026, instruction on climate change.[398]

17. In all schools, instruction as determined by the Superintendent or designee on United States (U.S.) 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, (e) the role and contributions of ethnic groups, including but not limited to, 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 Slovakians in the history of this country and State, (f) a study of the roles and contributions of lesbian, gay, bisexual, and transgender (LGBT) people in the history of the U.S. and Illinois, (g) Illinois history, (h) the contributions made to society by Americans of different faith practices, including, but not limited to, Muslim Americans, Jewish Americans, Christian Americans, Hindu Americans, Sikh Americans, Buddhist Americans, and any other collective community of faith that has shaped America, (i) Native American nations' sovereignty and self-determination, both historically and in the present day, with a focus on urban Native Americans, and (j) beginning in the fall of 2024, the events of the Native American experience and Native American history within the Midwest and Illinois since time immemorial in accordance with 105 ILCS 5/27-20.05.[399]

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[398] 105 ILCS 5/27-13.1, amended by P.A. 103-837, eff. 7-1-25; 23 Ill.Admin.Code §1.420(l). Instruction on the conservation of natural resources must include, but is not limited to, air pollution, water pollution, waste reduction and recycling, the effect of excessive use of pesticides, preservation of wilderness areas, forest management, protection of wildlife, and humane care of animals. Id. Instruction on climate change must include, but is not limited to, identifying the environmental and ecological impacts of climate change on individuals and communities and evaluating solutions for addressing and mitigating the impact of climate change. Id. Instruction on climate change must align with State learning standards, as appropriate and subject to funding, and ISBE is required to make instructional resources and professional development learning opportunities available for educators. Id.

[399] 105 ILCS 5/27-21, amended by P.A.s 102-411 (adding contributions made to society by Americans of different faith practices) and 103-422 (adding teaching about Native American nations' sovereignty and self-determination) and 105 ILCS 5/27-20.05, added by P.A. 103-422 (adding instruction on Native American experience and history); 23 Ill.Admin.Code §1.420(r). 105 ILCS 5/27-21, amended by P.A.s 102-411 and 103-422, requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. "[Evidence of having comprehensive knowledge [of United States history], which may be administered remotely" is not clear. The practical reading is that it refers to teachers collecting evidence through remote assessments when students are engaged in a remote learning program during a disaster declaration due to a public health emergency.

Note that instruction on Native American nations' sovereignty and self-determination under 105 ILCS 5/27-21, amended by P.A.s 103-422 and 103-564, is not required until instructional materials are made available on ISBE's website, which ISBE was required to post by 7-1-24. ISBE has indicated that instruction materials should be posted by the fall of 2024.

Instruction in events of the Native American experience and Native American history must include "the contributions of Native Americans in government and the arts, humanities, and sciences, as well as the contributions of Native Americans to the economic, cultural, social, and political development of their own nations and of the United States." Additionally, in grades 6 through 12, the instruction must include "the study of the genocide of and discrimination against Native Americans, as well as tribal sovereignty, treaties made between tribal nations and the United States, and the circumstances around forced Native American relocation." 105 ILCS 5/27-20.05, added by P.A. 103-422. See also f/n 48, below. ISBE may make instructional materials and professional development opportunities available to support instruction on Native Americans under 105 ILCS 5/27-20.05, added by P.A. 103-422. For additional resources, see https://americanindian.si.edu/nk360 and www.iste.org/explore/classroom/15-resources-teaching-native-american-history-and-culture. 105 ILCS 5/27-21 does not specify at what grade level districts must cover these topics as part of U.S. history instruction; however, no student may graduate from grade 8 unless the student has received instruction in U.S. history and demonstrated comprehensive knowledge of the subject matter.

For guidance about the requirements of adding the roles and contributions of LGBT people in U.S. and Illinois, see:

1. Inclusive Curriculum Law Frequently Asked Questions (FAQs) at:

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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. [400]

18. 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. [401]
19. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on the Holocaust and crimes of genocide, including Nazi atrocities of 1933-1945, the Native American genocide in North America, Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan. [402]
20. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on the history, struggles, and contributions of women. [403]
21. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on Black History, including the history of the pre-enslavement of Black people from 3,000 BCE to AD 1619, the African slave trade, slavery in America, the study of the reasons why Black people came to be enslaved, the vestiges of slavery in this country, the study of the American civil rights renaissance, as well as the struggles and contributions of African-Americans. [404]
22. In all schools offering a secondary agricultural education program, the curriculum includes courses as required by 105 ILCS 5/2-3.80. [405]

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www.phimc.org/wp-content/uploads/2020/05/Inclusive-Curriculum-FAQs.pdf;

2. Inclusive Curriculum Law Overview at: www.phimc.org/wp-content/uploads/2020/05/Inclusive-Curriculum-One-Pager.pdf; and
3. Inclusive Curriculum Implementation Guidance (Condensed Edition) at: www.isbe.net/Documents/Support-Students-Implementation-Guidance.pdf

[400] Section 111 of Division J of Pub. L. 108-447, the Consolidated Appropriations Act, 2005, 12-8-04; 118 Stat. 2809, 3344-45 (Section 111). Section 111(b) states: "[e]ach educational institution that receives Federal funds for a fiscal year shall hold an educational program on the U.S. Constitution on September 17 of such year for the student served by the educational institution."

[401] 105 ILCS 5/27-3.5. The Congressional Medal of Honor film is available on ISBE's website for no cost at: www.isbe.net/Pages/Medal-of-Honor.aspx.

[402] 105 ILCS 5/27-20.3. amended by P.A.s 103-422 and 103-564. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. Beginning with the 2024-2025 school year, instruction on Native American genocide is also required by 105 ILCS 5/27-20.05, added by P.A. 103-422 in grades 6-12. Note that instruction on Native American genocide under 105 ILCS 5/27-20.3, amended by P.A.s 103-422 and 103-564, is not required until instructional materials are made available on ISBE's website, which ISBE was required to post by 7-1-24. See f/n 45, above.

[403] 105 ILCS 5/27-20.5. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. House Resolution 365 (98th General Assembly, 2013) and Senate Resolution 1073 (98th General Assembly, 2014) both urge all Illinois educators to share with students of an appropriate age the story of *comfort women* when discussing the history of Asia or World War II, or the issue of human trafficking.

[404] 105 ILCS 5/27-20.4. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. A school may meet this curriculum requirement through an online program or course. Id.

[405] 105 ILCS 5/2-3.80(e) or (f), as applicable.

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23. In all schools, instruction during courses as determined by the Superintendent or designee on disability history, awareness, and the disability rights movement. [406]
24. In all schools, instruction as determined by the Superintendent or designee on the events of Asian American history, including the history of Asian Americans in Illinois and the Midwest, as well as the contributions of Asian Americans toward advancing civil rights from the 19th century onward, which must include the contributions made by individual Asian Americans in government and the arts, humanities, and sciences, as well as the contributions of Asian American communities to the economic, cultural, social, and political development of the United States. [407]
25. In kindergarten through grade 8, education must be available to students concerning effective methods of preventing and avoiding traffic injuries related to walking and bicycling. [408] [409]

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[406] 105 ILCS 5/27-23.8. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. The statute requires that the instruction be founded on the principle that all students, including students with disabilities, have the right to exercise self-determination. It urges districts to request individuals with disabilities to assist with the development and delivery of this instruction and allows instruction to be supplemented by knowledgeable guest speakers.

[407] 105 ILCS 5/27-20.8, added by P.A. 102-44. Id. at (c) states that the regional superintendent of schools [or Intermediate Service Center Executive Director, whichever is appropriate] will monitor districts' compliance with this law during the annual compliance review visits. Districts may meet this law's requirements through online programs or courses. Id. at (d). 105 ILCS 5/3-0.01 states any reference to "regional superintendent" includes the chief administrative officer of Intermediate Service Centers established under 105 ILCS 5/2-3.62. For resources, see www.isbe.net/Pages/ContinueEDResources.aspx (TEACCH Act).

[408] 105 ILCS 5/27-23.11 requires districts that maintain any of the grades kindergarten through 8 to adopt a policy. The law is silent about how to educate students on this topic. See sample exhibit 6:60-AP1, E2, *Resources for Biking and Walking Safety Education*, for additional information.

[409] A school district may offer a course on hunting safety as part of its curriculum during the school day. 105 ILCS 5/27-23.13. No grade levels are specified in the statute. Insert "5/27-23.13," after 105 ILCS 5/27-23.11 in the Legal References, and an optional number 26, if the board wants to offer a course on hunting safety as part of its curriculum:

In grade(s) [*insert grade level(s)*], a course on hunting safety will be offered during the school day.

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LEGAL REF.: Pub. L. No. 108-447, Section 111 of Division J, Consolidated Appropriations Act of 2005.
Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008), Protecting Children in the 21st Century Act.
47 C.F.R. §54.520.
5 ILCS 465/3 and 465/3a.
20 ILCS 2605/2605-480.
105 ILCS 5/2-3.80(e) and (f), 5/10-20.79, 5/10-20.84, 5/10-23.13, 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, 5/27-20.05, 5/27-20.08, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-20.7, 5/27-20.8, 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, 5/27-23.11, 5/27-23.15, 5/27-23.16, 5/27-24.1, and 5/27-24.2.
105 ILCS 110/3, Comprehensive Health Education Program.
105 ILCS 435/, Vocational Education Act.
625 ILCS 5/6-408.5, Ill. Vehicle Code.
23 Ill.Admin.Code §§1.420, 1.425, 1.430, and 1.440.

CROSS REF.: 4:165 (Awareness and Prevention of Child Sex Abuse and Grooming Behaviors), 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)

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Instruction

Administrative Procedure - Comprehensive Health Education Program

105 ILCS 110/3 requires the District to implement a Comprehensive Health Education Program (CHEP). CHEP is a systematic and extensive educational program designed to provide a variety of learning experiences based upon scientific knowledge of the human organism as it functions within its environment which will favorably influence the knowledge, attitudes, values, and practices of Illinois [students]; and which will aid [students] in making wise personal decisions in matters of health.

Unless limited to specific grades, the following major educational areas are the basis for curricula in the District's CHEP in all elementary and secondary schools: [64]

1. Human ecology and health;
2. Human growth and development;
3. In all grades, age-appropriate sexual abuse and assault awareness and prevention education,[65] except no student in grades pre-K through 8 shall be required to take or participate in any instruction for *recognizing and avoiding* sexual abuse if the student's parent/guardian submits written objection and refusal to participate in the instruction shall not be reason for failing, suspending or expelling the student.[66] Through grade 12, an age-appropriate and evidence-informed curriculum pursuant to *Erin's Law* will provide instruction pursuant to Board policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*.[67] The Superintendent must ensure all parent(s)/guardian(s) of

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[64] All topics in this list without citation are from 105 ILCS 110/3; additional citations are for other portions of the School Code that also cover each topic. To avoid redundancy, Public Acts amending this law are simply listed in the f/ns as: "Amended by P.A. ...." without first listing 105 ILCS 110/3.

[65] Four statutes address a district's responsibility to provide age-appropriate sexual abuse and assault awareness and prevention education programs:

See f/n 1 above (age-appropriate sexual abuse and assault awareness and prevention education in all grades);

Erin's Law, 105 ILCS 5/10-23.13, amended by P.A. 102-610, and see sample policy 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors* (permits boards to adopt and implement a policy addressing sexual abuse prevention education for students through grade 5 and their parents/guardians);

105 ILCS 5/27-9.1a(b), amended by P.A. 102-522 (requires comprehensive personal health and safety and comprehensive sexual health education a/k/a National Sex Education Standards (NSES) to be: (a) age and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma informed (b) replicate evidence-based or evidence-informed programs or substantially incorporate elements of evidence-based programs or evidence-informed programs or characteristics of effective programs, (c) provide information about local resources where students can obtain additional information and confidential services related to sexual violence (includes sexual abuse), and (d) provide information about State laws related to mandated reporting of child abuse and neglect, and school policies addressing the prevention of and response to sexual violence); and

105 ILCS 5/27-13.2 (addresses (a) written objections to sexual abuse prevention instruction and notice provisions (minimum five days) for students in grades K through 8, and (b) distribution by the Ill. State Board of Education (ISBE) and Ill. Dept. of Children and Family Services (DCFS) of information for districts to provide to their communities about this instruction).

[66] 105 ILCS 5/27-13.2 addresses instruction and opt-out provisions. This law also requires ISBE in cooperation with DCFS to prepare and distribute information about instructional materials and programs about child sexual abuse that schools can use for their own or community programs and distribute to parents/guardians.

[67] Required by 105 ILCS 110/3 and *Erin's Law*, 105 ILCS 5/10-23.13, amended by P.A. 102-610.

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students in any of grades K through 8 receive not less than five days' written notice before commencing the instruction. [68]

4. In all grades, a minimum of 16 hours of safety education in the courses of study regularly taught with instruction about: [69]
    a. Automobile safety, including traffic regulations, highway safety, and the consequences of alcohol consumption and the operation of a motor vehicle;
    b. Safety in the home, including safe gun storage;
    c. Safety in connection with recreational activities;
    d. Safety in and around school buildings;
    e. Safety in connection with vocational work or training;
    f. For students in grades 9 through 11, CPR subject to the excusal limitations in the first aid item 26, below; and
    g. For students in grades 6 through 8, CPR and how to use an AED by watching a training video on those subjects. [70]
    h. For students enrolled in pre-K through grade 6, water safety that incorporates evidence-based water safety instructional materials and resources.
5. In all grades, tobacco and e-cigarettes and other vapor devices; [71]
6. In grades K through 8, education must be available to students concerning effective methods of preventing and avoiding traffic injuries related to walking and bicycling. [72]
7. In grades K through 8, instruction, study, and discussion of effective methods for the prevention and avoidance of drugs and the dangers of opioid and substance abuse that are integrated into the curricula and designed to promote effective methods for the prevention and avoidance of drug and substance abuse. [73]
8. In grades K through 8, annual instruction on the danger of and how to avoid abduction as part of the District's regular curriculum. [74]

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[68] 105 ILCS 5/27-13.2 para. 3 addresses the notice provisions for recognizing and avoiding sexual abuse.

[69] 105 ILCS 5/27-24.2 (requires safety education for elementary grades); 105 ILCS 5/27-17 (safety education topics), amended by P.A.s 102-971 and 103-567. For resources on water safety instruction, see https://ndpa.org/water-safety-educational-resources.

[70] Consult the board attorney about whether the requirements for students in grades 6 through 8 to watch a video pursuant to 105 ILCS 5/27-17 are subject to the parent/guardian excusal provisions of 105 ILCS 110/3.

[71] Amended by P.A. 102-464. Starting in grade 5, the law expands education to alcohol and drug use and abuse along with tobacco. See number 9 of this sample administrative procedure text.

[72] The law is silent about how to educate students on this topic. 105 ILCS 5/27-23.11. See sample exhibit 6:60-AP1, E2, *Resources for Biking and Walking Safety Education*, for additional information.

[73] 105 ILCS 5/27-13.2, amended by P.A. 102-195. See also f/n 5 in sample policy 6:60, *Curriculum Content*.

[74] Required by 105 ILCS 5/27-13.2. Each board determines locally the minimum amount of instruction time that qualifies as program of instruction and satisfies this requirement.

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9. In grades 5 through 12, alcohol and drug use and abuse, including the medical and legal ramifications of alcohol, drug, and tobacco use that integrates into existing curricula, instruction related to: [75]
    a. The physical and legal effects and ramifications of drug and substance abuse (including use during pregnancy);
    b. Ill. State Board of Education (ISBE) instructional materials and guidelines developed to assist the District with incorporating this instruction topic into its curricula; and
    c. Either as part of existing curricula during the school day or as part of an after-school program, support services and instruction for students who are or students whose parents/guardians are chemically dependent.
10. In grades 6-12, instruction, study, and discussion on the dangers of fentanyl, which must include the following for grades 9-12: [76]
    a. Information on fentanyl itself including its variations, an explanation of the differences between synthetic and nonsynthetic opioids and illicit drugs, and the differences between the legal and illegal uses of fentanyl.
    b. Side effects and risk factors of using fentanyl, along with information comparing the lethal amounts of fentanyl to other drugs. Information on risk factors may include: (1) the lethal dose of fentanyl, (2) how often fentanyl is placed in drugs without a person's knowledge, (3) an explanation of what fentanyl does to a person's body and the severity of its addictive properties, and (4) how the consumption of fentanyl can lead to hypoxia, as well as an explanation of precisely what hypoxia does to a person's body.
    c. Details about the process of lacing fentanyl in drugs and why drugs get laced with fentanyl.
    d. Details about how to detect fentanyl in drugs and how to save someone from an overdose of fentanyl, including: (1) how to buy and use fentanyl strips, (2) how to buy and use naloxone, either through a nasal spray or an injection, and (3) how to detect if someone is overdosing on fentanyl.
11. In grades 6-12, parenting education that includes instruction in the following: [77]

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[75] Letters b. and c. are optional. Ensure the district aligns letter c. with the board's policy 6:180, *Extended Instructional Programs* (and see its f/n 11). Curricula in the area of alcohol and drug use and abuse must be age- and developmentally appropriate, and it may include information from the *Substance Use and Recovery Instruction Resource Guide*, available at: www.isbe.net/Pages/Substance-Use-Prevention-and-Recovery-Instruction-Resource-Guide.aspx. Amended by P.A. 103-810. See f/n 13, below, for information regarding instruction on the dangers of fentanyl. P.A. 102-464 amended grammar to separate "abuse during pregnancy" as its own subject but this procedure keeps it tied to the dangers of substance abuse during pregnancy because no course content related to *abuse during pregnancy* exists, except for perhaps teen dating violence prevention education.

[76] Amended by P.A.s 103-365 and 103-810. The law mandates the specific content of instruction for grades 9-12, but it does not mandate the content for grades 6-8. Instruction on the dangers of fentanyl must be age- and developmentally appropriate and may include information from the *Substance Use and Recovery Instruction Guide* (see f/n 12, above). The instructions must be delivered by a licensed educator, school nurse, school social worker, law enforcement officer, or school counselor. Id. The law also requires students in grades 9-12 to be assessed on fentanyl instruction. The assessment may include: (1) the differences between synthetic and nonsynthetic drugs; (2) hypoxia; (3) the effects of fentanyl on a person's body; (4) the lethal dose of fentanyl; and (5) how to detect and prevent overdoses. Id.

[77] Optional, but if offered by a district the course requirements are mandated by 105 ILCS 5/27-23.1. Upon request, ISBE must assist each district that offers an evidence-based parenting education model to develop instructional materials, train teachers, and establish appropriate time allotments for each of the areas included in such instruction. Id. at (a). Districts may give regular school credit for satisfactory completion of these courses by the student.

School districts may offer parenting education courses during that period of the day which is not part of the regular school day, and residents of the school district may enroll in the courses. Boards may establish fees and collect such charges that are necessary for attendance at these courses in an amount not to exceed the per capita cost of the course's operation, but they may waive all or part of established fees in situations of indigence and/or that a student's educational needs require enrollment.

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a. Child growth and development, including prenatal development.
b. Childbirth and child care.
c. Family structure, function, and management.
d. Prenatal and postnatal care for mothers and infants.
e. Prevention of child abuse.
f. The physical, mental, emotional, social, economic, and psychological aspects of interpersonal and family relationships.
g. Parenting skill development.

12. Family life,[78] specifically its emotional, psychological, physiological, hygienic and social responsibilities, including sexual abstinence until marriage and evidence-based and medically accurate information regarding sexual abstinence[79]; and in grades 6 through 12, instruction on the prevention, transmission, and spread of AIDS; except if a student's parent/guardian submits written objection to

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Last, subject to appropriations and ending after school year 25-26, ISBE was to implement and administer a seven-year pilot program supporting the health and wellness student-learning requirement with a unit of instruction on parenting education in participating school districts that maintain grades 9 through 12, to be determined by the participating school districts. Id. at (b), amended by P.A. 103-8. The pilot was encouraged to include, but was not limited to, instruction on (i) family structure, function, and management, (ii) the prevention of child abuse, (iii) the physical, mental, emotional, social, economic, and psychological aspects of interpersonal and family relationships, and (iv) parenting education competency development that is aligned to the social and emotional learning standards of the student's grade level. Instruction for this pilot may be included with the requirements or 105 ILCS 110/3. ISBE was authorized to make grants to school districts that apply to participate in the pilot, and provide by administrative rule the application and criteria to be used and applied in selecting participating urban, suburban, and rural school districts. See www.isbe.net/Documents/ParentABLE-Flyer-2023.pdf.

[78] Read f/ns 16 and 17 in conjunction with this footnote.

While P.A. 102-522 repealed 105 ILCS 5/27-9.2 (family life instruction optional), CHEP still requires this family life and the prevention, transmission and spread of AIDS instruction, and these topics are subject to a parent/guardian's written objection. See sample exhibit 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Excusals and Opt-outs*. CHEP does not indicate that these topics are optional for districts. Consult the board attorney about whether these CHEP topics are optional.

In addition, the now-repealed family life instruction law required the State Superintendent of Education (State Superintendent) to: (a) prepare and make available to local school districts courses of instruction designed to satisfy family life instructional requirements; and (b) develop a procedure to evaluate and measure the effectiveness of family life instruction in each local school district that includes setting reasonable goals for reduced sexual activity, sexually transmitted diseases, and premarital pregnancy. Copies of that procedure were required to be distributed to each district.

ISBE guidance issued after P.A. 102-522 went into effect does not address how districts should proceed with family life instruction under CHEP and whether their curriculums that were combined with the now-repealed family life sex education law may continue to be used. Consult the board attorney for advice on these issues.

For districts that will offer neither family life nor NSES, consult the board attorney before deleting the family life curriculum number 12 because CHEP does not indicate that curriculum is optional.

For districts that will not offer family life assuming that the National Sex Education Standards (NSES) will/would cover these topics, consult the board attorney before replacing the family life curriculum number 12 with: "Family life instruction is replaced by administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*."

For districts that will offer both family life and NSES, insert after the last sentence: "See also number 13, below, and administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*."

[79] Consult the board attorney about whether "evidence-based and medically accurate information regarding sexual abstinence" is included in *family life*. Abstinence is listed in two major educational areas of the CHEP. One is within family life, which is subject to a parent/guardian's written objection. See also f/n 4 in sample exhibit 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*.

Important is that "evidence-based and medically accurate information regarding sexual abstinence," is not listed with the parent/guardian's written objection suggesting a separate educational area. This procedure treats both mentions of abstinence in CHEP as family life instruction, but it may ultimately be included in the final NSES curriculum (see f/n 17, below).

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taking or participating in family life course or AIDS prevention instruction, and refusal to take or participate in the family life course or AIDS prevention instruction shall not be reason for suspension or expulsion of the student. See exhibit 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*.

13. Comprehensive personal health and safety and comprehensive sexual health education (NSES)[80]; except no student shall be required to take or participate in any NSES class or course, and a student's parent/guardian may opt the student out of NSES by submitting the request in writing or using exhibit 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*. Refusal to take or participate in an NSES course or program may not be a reason for disciplinary action, academic penalty, suspension, or expulsion or any other sanction of a student.[81] Active parental consent for their child to participate in NSES is not required;[82] however, because NSES mandates instruction about sexual violence (defined to include sexual abuse)[83] and instruction in recognizing and avoiding sexual abuse required by 105 ILCS 5/27-13.2 requires a minimum of five days' notice to parents/guardians of students in grades K through 8, the District will notify students in grades K through 8 using the **Notice of Sexual Abuse and Assault Awareness and Prevention Education** subhead of administrative procedure 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs*.[84] See also administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.
14. Course materials and instruction to advise students about the Abandoned Newborn Infant Protection Act, 325 ILCS 2/;[85]
15. The prevention and control of disease;
16. In grades 7 through 12, teen dating violence awareness;[86]

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[80] Optional. See 105 ILCS 5/27-9.1a(i)(1), added by P.A. 102-522.

If NSES is offered by a district, 105 ILCS 5/27-9.1a, added by P.A. 102-522, mandates the course content and instruction. ISBE learning standards, which adopt the NSES, and other resources are available at: www.isbe.net/sexualhealth. If boards offered sex education, the law provides zero guidance related to whether boards may use the now-repealed family life and sex education curriculums in future school years. See also para. 3, f/n 15, above.

For districts that will not provide NSES, delete this number 13 and ensure the district does not implement administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

For districts that will implement NSES, ensure that the district implements administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*.

[81] 105 ILCS 5/27-9.1a(d), added by P.A. 102-522.

[82] Id.

[83] 105 ILCS 5/27-9a(a) and (b)(6), (8), (9), and (12), added by P.A. 102-522.

[84] 105 ILCS 5/27-13.2.

[85] The law does not specify which grades must receive this information.

[86] See also sample policy 7:185, *Teen Dating Violence Prohibited*. A toolkit about teenage dating abuse is available online. It is titled Preventing, Assessing, and Intervening in Teenage Dating Abuse: A Training for Specialized Instructional Support Personnel. Materials include a PowerPoint and handouts. See www.safesupportivelearning.ed.gov/get-smart-get-help-get-safe-teenage-dating-abuse-training-specialized-instructional-support.

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17. In grades 7 through 12, instruction about the prevention of abuse of anabolic steroids in science, health, drug abuse, physical education, or other appropriate courses of study. Instruction shall emphasize that the use of anabolic steroids presents a serious health hazard to persons who use steroids to enhance athletic performance or physical development. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students participating in these programs.[87]
18. In grade 9 or 10, one unit of instruction in either grade about donations and transplants of organs/tissue and blood, except if a student's parent/guardian files written objection on constitutional grounds, but refusal to take or participate in the instruction shall not be reason for suspension or expulsion of a student or result in any academic penalty.[88]
19. Public and environmental health;
20. Consumer health;
21. Safety education and disaster preparedness;
22. Mental health and illness[89] that evaluates the multiple dimensions of health by reviewing the relationship between physical and mental health to enhance student understanding, attitudes, and behaviors that promote health, well-being, and human dignity and must include how and where to find mental health resources and specialized treatment in the State.[90]
23. Personal health habits;
24. Nutrition;
25. Dental health;
26. Cancer, including, without limitation, types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help;
27. Basic first aid including, but not limited to:
    a. Cardiopulmonary resuscitation (CPR) and the Heimlich maneuver, including training on how to properly administer CPR in accordance with standards of the American Red Cross, the American Heart Association, or another nationally recognized certifying organization, except if a student's parent/guardian submits written objection, but refusal to participate in the training shall not be a reason for suspension or expulsion of the student; and
    b. In secondary schools, how to use an automated external defibrillator (AED) shall be included, except if a student's parent/guardian submits written objection, but refusal to participate in the training shall not be a reason for suspension or expulsion of the student.

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[87] Required by 105 ILCS 5/27-23.3. ISBE may assist in the development of instructional materials and teacher training in relation to steroid abuse prevention. For ease of administration, this procedure puts the duty on coaches and sponsors of interscholastic athletic programs; if the district uses individuals other than those listed insert that fact.

[88] Optional according to 105 ILCS 5/27-23.5. The law requires the regional superintendent of schools (or intermediate service center executive director) to obtain and distribute information and data, including instructional materials provided at no cost by America's Blood Centers, the American Red Cross, and Gift of Hope to schools in their regions for use in developing a unit of instruction to comply with this law. It also allows each board to determine the minimum amount of instructional time that qualifies as a unit of instruction to satisfy this law.

[89] Mental health and illness instruction must evaluate the multiple dimensions of health by reviewing the relationship between physical and mental health. Amended by P.A. 102-1034.

[90] For ease of administration, this topic combines two major education topics listed in 105 ILCS 110/3.

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28. Beginning with the 2024-2025 school year, in grades 9 through 12, instruction, study, and discussion on the dangers of allergies, including recognizing the signs and symptoms of an allergic reaction, the steps to take to prevent exposure to allergens, and safe emergency epinephrine administration. [91]
29. Heart disease;
30. Diabetes;
31. Stroke;
32. The prevention of child abuse and neglect;
33. Suicide prevention pursuant to Board policy 7:290, *Suicide and Depression Awareness and Prevention*;
34. All students shall receive age-appropriate instruction on motor vehicle safety and litter control.[92]

Notice to Parent/Guardian; Requirements; Written Objection(s) and/or Opt-outs [93]

Refusal to take or participate in any course or program that allows parents/guardians to object in writing and/or opt their children out shall not be reason for disciplinary action or academic penalty to the student. The District will provide exhibit 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs* to parents/guardians wishing to provide written objection or opt out of content in CHEP.

LEGAL REF.: 105 ILCS 110/, Comprehensive Critical Health Problems and Comprehensive Health Education Act.

ADMIN PROC.: 6:60-AP2 (Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES)), 6:60-AP3 (Developmentally Appropriate Consent Education)

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[91] Amended by P.A. 103-212. Information for the instruction, study, and discussion on the dangers of allergies must be based on information provided by the Ill. Dept. of Public Health and the federal Centers for Disease Control and Prevention. For resources, see https://dph.illinois.gov/topics-services/prevention-wellness/epinephrine-autoinjector-and-anaphylaxis.html and www.cdc.gov/healthyschools/foodallergies/index.htm.

[92] Optional. Formerly required by repealed 105 ILCS 5/27-23. Delete this sentence if the district no longer provides this education.

[93] Required by 105 ILCS 5/10-23.13, amended by P.A. 102-610; 5/27-9.1a(d), added by P.A. 102-522, 5/27-13.2, 5/27-23.5; and 110/3.

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Instruction

Student Social and Emotional Development [410]

Social and emotional learning (SEL) is defined as the process through which students enhance their ability to integrate thinking, feeling, and behaving to achieve important life tasks. Students competent in SEL are able to recognize and manage their emotions, establish healthy relationships, set positive goals, meet personal and social needs, and make responsible and ethical decisions. [411]

The Superintendent shall incorporate SEL into the District's curriculum and other educational programs consistent with the District's mission and the goals and benchmarks of the Ill. Learning Standards.[412] The Ill. Learning Standards include three goals for students: [413]

1. Develop self-awareness and self-management skills to achieve school and life success.
2. Use social-awareness and interpersonal skills to establish and maintain positive relationships.
3. Demonstrate decision-making skills and responsible behaviors in personal, school, and community contexts.

The incorporation of SEL objectives into the District's curriculum and other educational programs may include but is not limited to: [414]

1. Classroom and school-wide programming to foster a safe, supportive learning environment where students feel respected and valued. This may include incorporating scientifically based, age-and-culturally appropriate classroom instruction, District-wide, and school-wide strategies that teach SEL skills, promote optimal mental health, and prevent risk behaviors for all students. [415]

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[410] State law requires this subject matter be covered by policy, and it required districts to submit it to the Ill. State Board of Education (ISBE) once by 8-31-04. 405 ILCS 49/15(b).

[411] This text paraphrases the definition in the Ill. Children's Mental Health Partnership's 2005 Strategic Plan for Building a Comprehensive Children's Mental Health System in Illinois, pg. 73, Appendix C, starting at pg. 69. The 2023 *Illinois Children's Mental Health Partnership Annual Report to the Governor* is available at: www.ilga.gov/reports/ReportsSubmitted/4592RSGAEmail9699RSGAAttachICMHP%202023%20Annual%20Report.pdf.

[412] Required by the Children's Mental Health Act, 405 ILCS 49/, amended by P.A.s 102-899 and 102-1034. ISBE incorporated social and emotional development standards into the Ill. Learning Standards. For more information see: www.isbe.net/sel. School social workers may implement a continuum of social and emotional education programs and services in accordance with students' needs. 405 ILCS 49/15(b).

[413] The goals, along with their benchmarks, performance descriptors and indicators are available at the link in f/n 3, above.

[414] The objectives are a matter of local school board discretion. A board may replace the sample objectives with its own local objectives. This sample policy lists the ISBE's SEL goals found on ISBE's website cited in f/n 3, above.

[415] 20 ILCS 1705/76 requires the Ill. Dept. of Human Services (IDHS) to create and maintain an online *Mental Health Database and Resource* page on its website with mental health resources to: (1) assist school social workers, school counselors, parents, teachers, and school support personnel with the goal of connecting them with mental health resources related to bullying and school shootings; and (2) encourage information sharing among educational administrators, school security personnel, and school resource officers. See the database at: www.dhs.state.il.us/page.aspx?item=118331.

20 ILCS 1705/76.2, added by P.A. 103-222, requires IDHS to partner with ISBE to provide technical assistance for the provision of mental health care for students during school days.

105 ILCS 5/27-23.17, added by P.A. 103-764, eff. 1-1-25, allows districts to provide students with at least 20 minutes per week of *relaxation activities* to enhance students' mental and physical health as part of the school day. *Relaxation activities* may include mindful-based movements, yoga, stretching, meditation, breathing exercises, guided relaxation techniques, quiet time, walking, in-person conversation, and other stress-relieving activities. *Relaxation activities* may take place during a P.E. class, social emotional learning class, or student-support or advisory class or as a part of another similar class.

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2. Staff development and training to promote students' SEL development. This may include providing all personnel with age-appropriate academic and SEL and how to promote it. [416]
3. Parent/Guardian and family involvement to promote students' SEL development. This may include providing parents/guardians and families with learning opportunities related to the importance of their children's optimal SEL development and ways to enhance it. [417]
4. Community partnerships to promote students' SEL development. This may include establishing partnerships with diverse community agencies and organizations to assure a coordinated approach to addressing children's mental health and SEL development.
5. Early identification and intervention to enhance students' school readiness, academic success, and use of good citizenship skills. This may include development of a system and procedures for periodic and universal screening, assessment, and early intervention for students who have significant risk factors for social, emotional, or mental health conditions that impact learning.[418]
6. Treatment to prevent or minimize mental health conditions in students. This may include building and strengthening referral and follow-up procedures for providing effective clinical services for students with social, emotional, and mental health conditions[419] that impact learning. This may include student and family support services, school-based behavioral health services, and school-community linked services and supports.
7. Assessment and accountability for teaching SEL skills to all students. This may include implementation of a process to assess and report baseline information and ongoing progress about school climate, students' social and emotional development, and academic performance.[420]

LEGAL REF.: Children's Mental Health Act, 405 ILCS 49/.

CROSS REF.: 1:30 (School District Philosophy), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

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[416] See SEL resources to support instruction of the Ill. Learning Standards at: https://ilclassroomtech.weebly.com/social-emotional-learning.html.

[417] The Ill. Children's Mental Health Partnership provides resources for youth, caregivers, and professionals. See f/n 2, above.

20 ILCS 1705/11.4, added by P.A. 103-546, requires IDHS to create and maintain an online Care Portal to serve as a central resource for families with children who have significant and complex behavioral health needs. See https://beacon.illinois.gov/. IDHS, in coordination with various state agencies, is to develop training and communication for school districts, hospital social workers, and system partners to demonstrate how individuals can assist a family seeking youth behavioral health services.

[418] Information about Early Childhood Mental Health Consultation is available at: www.iecmhc.org/.

[419] 305 ILCS 5/5-5.23(g) created the *Family Support Program* (FSP) in the Ill. Dept. of Healthcare and Family Services. FSP is a restructure of the former Individual Care Grant program. Its purpose is to enable early treatment of youth, emerging adults, and transition-age adults with a serious mental illness or serious emotional disturbance. Eligibility criterion for FSPs are established at 89 Ill. Adm. Code Part 139.

[420] For information on this objective, see ISBE's Comprehensive System of Learning Supports at: www.isbe.net/Pages/Learning-Supports.aspx. Information about school climate is available from ISBE at: www.isbe.net/Pages/School-Climate.aspx.

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Instruction

Accelerated Placement Program [421]

The District provides an Accelerated Placement Program (APP). The APP advances the District's goal of providing educational programs with opportunities for each student to develop to his or her maximum potential.[422] 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.[423] 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.[424] 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.[425] 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. [426]

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). [427]
2. Processes that provide a student's parent(s)/guardian(s) with: [428]
   a. Written notification when their child is eligible for enrollment in accelerated courses; and
   b. Notification of a decision affecting their child's participation in the APP.

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[421] State law requires this subject matter be covered by policy and controls its content. 105 ILCS 5/14A (the Accelerated Placement Act (APA)); 23 Ill.Admin.Code Part 227. Ill. State Board of Education (ISBE) rules require this policy to be posted on the district website, if available. 23 Ill.Admin.Code §227.60(a). ISBE rules also require districts to annually report, by July 31, demographic information regarding students participating in accelerated placement. 23 Ill.Admin.Code §227.60(c).

[422] Optional. Ensure this statement matches the board's current educational philosophy and objectives. See sample policy 6:10, *Educational Philosophy and Objectives*.

[423] 105 ILCS 5/14A-17, amended by P.A. 103-263; 23 Ill.Admin.Code §227.5.

[424] Id. For high school districts, delete "~~: and (c) early entrance to kindergarten or first grade~~" and insert the word "and" between (a) and (b).

Attorneys disagree whether the APA conflicts with 105 ILCS 5/10-20.12 (*School year – School age.*). The APA requires accelerated placement to include "early entrance to kindergarten or first grade." 105 ILCS 5/14A-17. 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. Id. See sample policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*. **Consult the board attorney for guidance.**

[425] 105 ILCS 5/14A-32(a)(1); 23 Ill.Admin.Code §227.5.

[426] 105 ILCS 5/14A-25.

[427] 105 ILCS 5/14A-32(a)(2) 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.

[428] Id. at (a-25), added by P.A. 103-743, and (a)(3).

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3. Assessment processes that include multiple valid, reliable indicators. [429]
4. The automatic enrollment, in the following school term, of a student into the next most rigorous level of advanced coursework offered by the high school if the student meets or exceeds State standards in English language arts, mathematics, or science on a State assessment administered under 105 ILCS 5/2-3.64a-5, as follows: [430]
    a. A student who meets or exceeds State standards in English language arts shall be automatically enrolled into the next most rigorous level of advanced coursework in English, social studies, humanities, or related subjects.
    b. A student who meets or exceeds State standards in mathematics shall be automatically enrolled into the next most rigorous level of advanced coursework in mathematics.
    c. A student who meets or exceeds State standards in science shall be automatically enrolled into the next most rigorous level of advanced coursework in science.
5. Waiver of a course completion requirement under Board policy 6:300, *Graduation Requirements*, if the District determines that the student has demonstrated mastery of or competency in the content of the course or unit of instruction. [431]

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, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework.[432] Notification may: (a) include varied communication methods, such as

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[429] Id. at (a)(4).

[430] Required only for districts with grades 9-12 by 105 ILCS 5/14A-32(a-5), amended by P.A.s 102-209 and 103-743. Delete for elementary school districts. This provision originally applied to "a student who meets or exceeds State standards" but was amended by P.A. 103-743 to only apply to "a student who ~~meets or~~ exceeds State standards." P.A. 103-743 also added new 105 ILCS 5/14A-32(a-10), requiring that by the beginning of the 2027-28 school year, districts with grades 9-12 state in their policy that "a student who meets State standards" will, in the following school term (the 2028-29 school year), be automatically enrolled in the next most rigorous level of advanced coursework offered by the high school. Nothing in the law prohibits districts from continuing to offer automatic enrollment to students who meet State standards before the 2028-29 school year. **Consult with the board attorney to determine whether to keep or strike "meets or" from Item #4 and its subsections (a)-(c).**

Though not set forth explicitly in the statute, ISBE asserts that 105 ILCS 5/14A-32(a-5), amended by P.A.s 102-209 and 103-743, is limited to "[d]istricts with grades 9-12." See ISBE *Accelerated Placement Policy Guidance for Districts Frequently Asked Questions* (May 2024), at: www.isbe.net/Documents/Accelerated-Placement-Act-FAQ.pdf. The FAQ further explains that districts must "have the automatic enrollment policy in place prior to the start of the school year 2023-24 and districts will use scores from that school year to automatically enroll students during school year 2024-25." Id.

A district must provide the parents/guardians of a student eligible for automatic enrollment with the option to instead enroll in alternative coursework that better aligns with the student's postsecondary education or career goals. For a student entering grade 12, the next most rigorous level of advanced coursework in English language arts or mathematics must be a *dual credit course* (as defined in the Dual Credit Quality Act, 110 ILCS 27/5), an *Advanced Placement course* (as defined in the College and Career Success for All Students Act, 105 ILCS 302/10), or an International Baccalaureate course. The same is true for all other subjects, except that the next most rigorous level of advanced coursework may also include an honors class, an enrichment opportunity, a gifted program, or another program offered by the district. 105 ILCS 5/14A-32(a-15), amended by P.A. 102-209 and renumbered by P.A. 103-743. See sample administrative procedure 6:135-AP, *Accelerated Placement Program Procedures*.

For a description of State assessments, see www.isbe.net/Pages/Assessment.aspx.

[431] Optional and only for districts with grades 9-12. 105 ILCS 5/14A-32(a-20), added by P.A. 103-743.

[432] 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, community-based organizations, and providers of out-of-school programs, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework[.]"

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student handbooks and District or school websites; and (b) be provided in multiple languages, as appropriate.[433]

LEGAL REF.: 105 ILCS 5/14A.
23 Ill.Admin.Code Part 227, Gifted Education.

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)

[433] 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*.

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Instruction

Administrative Procedure - Accelerated Placement Program Procedures [94]

The District's Accelerated Placement Program (APP) places qualified students in an educational setting that includes curriculum usually reserved for students who are older or in higher grades than the student, and is implemented by the Superintendent or designee. 105 ILCS 5/14A.

This administrative procedure contains seven sections as follows:

1. Definitions
2. Annual Notification
3. Referral Process
4. Evaluation Process
5. Eligibility Determination
6. Automatic Enrollment in Advanced High School Coursework
7. Program Reporting, Review, and Expanded Access Plan

Definitions [95]

Accelerated placement is the placement of a student in an educational setting with curriculum that is usually reserved for students who are older or in higher grades than the student.[96] Accelerated placement includes, but may not be limited to: early entrance to kindergarten or first grade, accelerating a student in a single subject, and grade acceleration. [97]

Advanced academic program is a course of study, including but not limited to, accelerated placement, Advanced Placement coursework, International Baccalaureate coursework, dual credit, or any course

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[94] Customize this procedure to meet the district's needs. It is written in general terms with regard to 105 ILCS 5/14A, the Accelerated Placement Act (APA). Districts may wish to utilize different procedures for different types of accelerated placement. For example, many districts that permit early entrance to kindergarten or first grade require that early entrance requests be submitted by a certain calendar date, often months in advance of the start of a school term, to allow sufficient time for evaluation and the determination of incoming class sizes and staffing needs. The law is silent regarding whether these deadlines may be waived or adjusted for students who move into the district after the deadline; consult the board attorney for further guidance. Districts should also consider implementing specific and objective criteria for early entrance and address such issues as who pays the costs for assessments, etc.

To provide school administrators and personnel with a familiar procedural framework, the **Referral Process**, **Evaluation Process**, and **Eligibility Determination** sections of this sample administrative procedure are loosely modeled on the Ill. Council of School Attorneys' *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*. See www.iasb.com/law/icsaspeced.cfm.

[95] 105 ILCS 5/14A-17, amended by P.A. 103-263, requires districts to have an accelerated placement program that includes, but need not be limited to, the following types of acceleration: early entrance to kindergarten or first grade, accelerating a child in a single subject, and grade acceleration. The APA does not define these types of acceleration however, they are defined in Ill. State Board of Education (ISBE) regulations at 23 Ill.Admin.Code §227.5.

For high school districts, delete the definitions of *early entrance to kindergarten* and *early entrance to first grade*. If the district offers additional types of acceleration, such as curriculum compacting or telescoping curriculum, then the definitions of such additional types should be added to this section.

[96] 105 ILCS 5/14A-17, amended by P.A. 103-263; 23 Ill.Admin.Code §227.5.

[97] Id. For high school districts, delete "early entrance to kindergarten or first grade." For districts that offer additional types of acceleration, amend this sentence to include those types in the list of accelerated placement offerings.

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designated as enriched or honors, that a student is enrolled in based on the student's advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.[98]

Early entrance to kindergarten is the admission to kindergarten of a student who: (a) is assessed for and meets the District's readiness standards to attend school; and (b) will not be five years of age on or before September 1 of that school term.[99]

Early entrance to first grade is the admission to first grade of a student who is assessed for and meets the District's readiness standards to attend school. A student may, but is not required to, have attended a non-public preschool and continued his or her education at that school through kindergarten and been taught in kindergarten by an appropriately certified teacher. A student who is younger than six upon starting first grade but who was admitted early to kindergarten does not need to be reevaluated prior to admission to first grade.[100]

Individual subject acceleration is the practice of assigning a student to a specific content area at a higher instructional level than is typical given the student's grade for the purpose of providing access to appropriately challenging learning opportunities in one or more subject areas.[101] It may be accomplished by either: (a) physically moving the student to a higher level class for instruction; or (b) using higher level curricular or study materials in the student's current classroom.

Whole grade acceleration is the practice of assigning a student to a higher grade level than is typical, given the student's age, on a full-time basis for the purpose of providing access to appropriately challenging learning opportunities.[102] Commonly referred to as skipping a grade, grade acceleration may be done at the beginning of or during the school term.

Annual Notification[103]

Actor	Action
Superintendent or designee	Annually notifies the community, including community-based organizations, providers of out-of-school programs, parent(s)/guardian(s), students, and school personnel, about the: 1. APP 2. Process for referring a student for possible evaluation for accelerated placement, including:

[98] 105 ILCS 5/14A-17, amended by P.A. 103-263.

[99] 23 Ill.Admin.Code §227.5. Use the following alternative in a district operating on a year-round basis:

> *Early entrance to kindergarten* is the admission to kindergarten of a student who: (a) is assessed for and meets the District's readiness standards to attend school; and (b) will not be five years of age within 30 days after the commencement of that school term.

[100] 23 Ill.Admin.Code §227.5.

[101] Id.

[102] Id.

[103] 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, community-based organizations, and providers of out-of-school programs, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework[.]" Delete if the board has not included annual notification language in its adopted Board policy 6:135, *Accelerated Placement Program*.

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Actor	Action
	a. Steps to be taken to make a referral; b. Individual(s) to whom a referral may be submitted; c. Deadlines by which a referral must be made; and d. Information that must be provided in the referral. 3. Methods used to determine whether a student is eligible for accelerated placement. 4. Strategies used to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework. Provides such notification: 1. By varied communication methods, such as student handbooks and District/school websites; and 2. In multiple languages.

Referral Process

Actor	Action
Parent(s)/Guardian(s), Licensed Educational Professionals, Student (with written consent of a parent/guardian), or Peer (through a licensed educational professional who has knowledge of the student's abilities). In addition to the above-noted individuals, referrals for possible early entrance to kindergarten or first grade may also come from: Preschool Educator, Non-public Kindergarten Teacher, Pediatrician, or Psychologist who knows the child. [104]	Refers a student for possible evaluation for accelerated placement using the process set forth in this procedure.

[104] 105 ILCS 5/14A-32(b)(2) recommends that the referral process allow for multiple referrers, and specifically notes that referrers for possible early entrance may include "a preschool educator, pediatrician, or psychologist who knows the child." High school districts should delete the list of additional referrers for possible early entrance. ISBE regulations define *multiple referrers* as including, but not being limited to, "the student's parents or guardian, current teachers, district gifted coordinator or gifted education specialist, guidance [school] counselor, principal, and school psychologist." 23 Ill.Admin.Code §227.5.

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Actor	Action
Student Services Director, Building Principal, or designee	Within [*insert number*] school days after receiving a referral, determines whether an evaluation for accelerated placement is warranted. To determine whether an evaluation is warranted, may review existing data about the student, utilize screening data, and conduct preliminary procedures such as observation of the student, consultation with the teacher or other individual making the request, and a conference with the student. Provides the student's parent(s)/guardian(s) with written notice of the referral determination. For cases not warranting an evaluation, the process ends here. For cases warranting an evaluation, proceed to Evaluation Process, below.

Evaluation Process

Actor	Action
Student Services Director, Building Principal, or designee	Convenes an Evaluation Team (consisting of District teacher(s) and school support personnel, as appropriate) having the knowledge and skills necessary to: 1. Identify multiple valid, reliable indicators[105] to use during the evaluation; 2. Identify appropriate assessment instruments; 3. Administer said assessments; and 4. Interpret evaluation results. The composition of the team may vary depending upon the type of acceleration requested and other relevant factors.
Evaluation Team	Identifies multiple valid, reliable indicators and any assessment instruments appropriate to use during the evaluation. Prepares a written document identifying the evaluation components. This may occur without a meeting.
Student Services Director, Building Principal, or designee	Provides parent(s)/guardian(s) with written notification of the Evaluation Team's conclusions regarding the evaluation components and requests parent(s)'/guardian(s)' written consent to conduct the evaluation.
Parent/Guardian	Provides written consent to conduct the evaluation.
Evaluation Team	Completes the evaluation within [*insert number*] school days following the date of receipt of parent(s)'/guardian(s)' written consent to conduct the evaluation.

[105] Required by 105 ILCS 5/14A-32(a)(4). *Multiple valid, reliable indicators* are not defined in the APA or ISBE regulations; some attorneys prefer using "standardized and norm-referenced indicators" instead.

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Actor	Action
	Ensures the evaluation is nondiscriminatory and follows Board policy 7:10, *Equal Educational Opportunities*.

Eligibility Determination

Actor	Action
Evaluation Team	Convenes a meeting[106] with parent(s)/guardian(s) to review evaluation results and determine eligibility for the APP. Provides parent(s)/guardian(s) with written notice of eligibility determination. If the student is found eligible for the APP, prepares and provides parent(s)/guardian(s) with a written plan detailing the type of acceleration the student will receive and strategies to support the student. [107] If the student is not found eligible for the APP, provides parent(s)/guardian(s) with written notice of their right to appeal the eligibility determination, within five calendar days after receiving the determination, by submitting a written request to the Superintendent. [108]
Parent/Guardian	If desired, within [*insert number*] calendar days after receiving written notice that student is not eligible for the APP, submits written appeal to the Superintendent.
Superintendent	Within [*insert number*] calendar days after receiving the written appeal request, reviews the case, and provides parent(s)/guardian(s) with written notice of his/her decision. The Superintendent's decision is final.

[106] Convening a meeting with parents/guardians is not required, however, 105 ILCS 5/14A-32(a)(2) requires "a fair and equitable decision-making process that involves multiple persons and includes a student's parents or guardians." A meeting logically allows the Evaluation Team to explain evaluation results, parent(s)/guardian(s) to ask questions and be heard, and all stakeholders to be involved in the eligibility determination. Delete this sentence if the district will not offer a meeting.

ISBE regulations define *multiple persons* as including, but not being limited to, "the student's parent or guardian, current teachers, district gifted coordinator or gifted education specialist, guidance [school] counselor, principal, and school psychologist. 23 Ill.Admin.Code §227.60.

[107] Optional. The APA permits but does not require this written plan. 105 ILCS 5/14A-32(b)(3).

[108] Optional.

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Automatic Enrollment in Advanced High School Coursework [109]

Actor	Action
Student Services Director, Building Principal, or designee	Identifies students who qualify for automatic enrollment in the "next most rigorous level of advanced coursework" (NMR) offered by the District, for the following school term, by reviewing State assessment results in English language arts, mathematics, and science. For English language arts, the NMR includes courses in English, social studies, humanities, or related subjects. [110] For a student entering grade 12, the NMR in English language arts or mathematics must be a dual credit course (as defined in the Dual Credit Quality Act, 110 ILCS 27/5), an Advanced Placement course (as defined in the College and Career Success for All Students Act, 105 ILCS 302/10), or an International Baccalaureate course. The same is true for all other subjects, except that the NMR may also include an honors class, an enrichment opportunity, a gifted program, or another program offered by the District. [111] Provides written notice to parent(s)/guardian(s) of a qualified student of the student's eligibility for automatic enrollment in the NMR level of advanced coursework offered by the high school that: 1. Identifies the course(s) the student is eligible for, including the location and schedule, if known, of the course(s); 2. Informs the parent(s)/guardian(s) of the option to instead enroll the student in alternative coursework that better aligns with the student's postsecondary education or career goals; [112] 3. Identifies the alternative coursework the student is eligible for, including the location and schedule, if known, of the alternative coursework; and 4. Requests that the parent(s)/guardian(s) notify the District within [*insert number*] calendar days of their course enrollment decision.

[109] Required only for districts with grades 9-12. 105 ILCS 5/14A-32(a-5), (a-10), amended by P.A.s 102-209 and 103-743. Delete for elementary school districts. See f/ns 10 and 11 in sample policy 6:135, *Accelerated Placement Program*, for further discussion of this requirement. Written notice to parents/guardians is not required but is a best practice to memorialize that automatic enrollment into the next level of advanced coursework and the option of alternative coursework were offered to qualified students.

[110] Id. at (a-5)(1), amended by P.A. 103-743.

[111] 105 ILCS 5/14A-32(a-5), amended by P.A.s 102-209 and 103-743.

[112] 105 ILCS 5/14A-32(a-5), amended by P.A.s 102-209 and 103-743.

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Actor	Action
Parent/Guardian	Provides the District with written notice of their course enrollment decision within [*insert number*] calendar days after receiving the written notice.

Program Reporting, Review, and Expanded Access Plan

Actor	Action
Superintendent, Student Services Director, or designee	Submits by July 31 each year to the Ill. State Board of Education (ISBE) through the Student Information System (SIS): [113] 1. Demographic information for each student participating in the APP; 2. Student participation in the APP; and 3. Type of APP placement. Develops procedures to provide support and promote success for students who are newly enrolled in the APP. [114] Develops procedures to promote equity, which may incorporate one or more of the following evidence-based practices: [115] 1. The use of multiple tools to assess exceptional potential and provide several pathways into advanced academic programs when assessing student need for advanced academic or accelerated programming; 2. Providing enrichment opportunities starting in the early grades to address achievement gaps that occur at school entry and provide students with opportunities to demonstrate their advanced potential; 3. The use of universal screening combined with local school-based norms for placement in accelerated and advanced learning programs; 4. Developing a continuum of services to identify and develop talent in all learners ranging from enriched learning experiences, such as problem-based learning, performance tasks, critical thinking, and career exploration, to accelerated placement and advanced academic programming; and 5. Providing professional learning in gifted education for teachers and other appropriate school personnel to

[113] 23 Ill. Admin.Code §227.60(b).

[114] Optional. 105 ILCS 5/14A-32(b)(4).

[115] Optional. 105 ILCS 5/14A-32(b)(6), added by P.A. 103-263. For districts that prefer to not use the terms *gifted* or *gifted education*, consider replacing No. 5 with the following:

Providing professional learning in instructional practices, including identifying and challenging students from diverse cultures and backgrounds, to support all students' successful participation in accelerated placement or advanced academic programming.

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Actor	Action
	appropriately identify and challenge students from diverse cultures and backgrounds who may benefit from accelerated placement or advanced academic programming. Reviews disaggregated data on APP participation and successful completion rates to address gaps among demographic groups in accelerated placement opportunities. [116] Develops and, as necessary, updates a plan to expand access to the APP and to ensure the teaching capacity necessary to meet any increased demand. [117]

[116] Optional. 105 ILCS 5/14A-32(b)(5).

[117] 105 ILCS 5/14A-32(d).

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Instruction

Guidance and Counseling Program [434]

The School District provides a guidance and counseling program for students.[435] The Superintendent or designee shall direct the District's guidance and counseling program. School counseling services, as described by State law, may be performed by school counselors or licensed educators with a school support personnel endorsement in the area of school counseling. [436]

[For Elementary and Unit Districts]

Each staff member is responsible for effectively guiding students under his/her supervision in order to provide early identification of intellectual, emotional, social, or physical needs, diagnosis of any learning disabilities, and development of educational potential. The District's counselors shall offer counseling to those students who require additional assistance.

[For High School and Unit Districts]

The guidance program will assist students to identify career options consistent with their abilities, interests, and personal values. Students shall be encouraged to seek the help of counselors to develop specific curriculum goals that conform to the student's career objectives. High school juniors and seniors will have the opportunity to receive career-oriented information. Representatives from colleges and universities, occupational training institutions and career-oriented recruiters, including the military, may be given access to the school campus in order to provide students and parents/guardians with information. [437]

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[434] State or federal law controls this policy's content.

[435] School boards may employ school counselors. 105 ILCS 5/10-22.24a, amended by P.A. 102-894. 105 ILCS 5/10-22.24b, amended by P.A.s 102-876, 103-542, and 103-780, provides an extensive but non-exhaustive list of permissible school counseling services, including but not limited to providing: educational opportunities for students, teachers, and parents on mental health issues; academic, social-emotional, and college and career supports to all students irrespective of special education or Section 504 status; and collaborating as a team member in Multi-Tiered Systems of Support and other school initiatives.

All districts must conduct a comprehensive needs assessment to determine the scope of pupil needs in the areas of guidance and counseling, psychological, social work, and health. 23 Ill.Admin.Code §1.420(q).

The Children's Mental Health Act requires districts to develop protocols for responding to students with social, emotional, or mental health needs that impact learning. 405 ILCS 49/, amended by P.A. 102-899. See f/n 3 in sample policy 6:65, *Student Social and Emotional Development*, for further information. See sample policy 7:250, *Student Support Services*, and sample administrative procedure 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*.

[436] Optional. 105 ILCS 5/10-22.24b, amended by P.A.s 102-876, 103-542, and 103-780, provides that school counselors as defined in 105 ILCS 5/10-22.24a or individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under 105 ILCS 5/21B-25 may provide school counseling services. The following optional sentence recognizes the importance of interventions; however, it creates duties that are not present in law. This is a classic "who, gets what, for how much" issue.

> The counseling program will assist students with interventions related to academic, social and/or personal issues. Students shall be encouraged to seek academic, social, and/or personal assistance.

[437] A district must provide military recruiters and state public institutions of higher education access to students if it has provided such access to persons or groups who tell students about educational or occupational opportunities. 105 ILCS 5/10-20.5a, amended by P.A. 103-204. By 1-1-24, districts were to make student directory information electronically accessible through a secure centralized data system for official recruiting representatives of the armed forces and for State public institutions of higher education. Id.

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LEGAL REF.: 105 ILCS 5/10-22.24a and 5/10-22.24b.
23 Ill.Admin.Code §1.420(q).

CROSS REF.: 6:50 (School Wellness), 6:65 (Student Social and Emotional Development), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention)

ADMIN. PROC.: 7:340-AP1 (School Student Records), 7:340-AP1, E1 (Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records), 7:340-AP1, E3 (Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information)

Such access must be consistent with the federal Family Educational Rights and Privacy Act (20 U.S.C. §1232g). Id. Another federal law requires a secondary school to grant military recruiters and institutions of high learning, upon their request, access to secondary school students' names, addresses, and telephone numbers, unless the parents/guardians request that the information not be disclosed without prior written consent. 20 U.S.C. §7908. See also sample administrative procedure 7:340-AP1, *School Student Records*, and sample exhibit 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*.

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Instruction

Student Testing and Assessment Program [438]

The District student assessment program provides information for determining individual student achievement and instructional needs, curriculum and instruction effectiveness, and school performance measured against District student learning objectives and statewide norms.

The Superintendent or designee shall manage the student assessment program that, at a minimum:

1. Administers to students all standardized assessments required by the Ill. State Board of Education (ISBE) and/or any other appropriate assessment methods and instruments, including norm and criterion-referenced achievement tests, aptitude tests, proficiency tests, and teacher-developed tests.
2. Informs students of the timelines and procedures applicable to their participation in every State assessment. [439]
3. Provides each student's parents/guardians with the results or scores of each State assessment and an evaluation of the student's progress. See policy 6:280, *Grading and Promotion*. [440]
4. Utilizes professional testing practices. [441]

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[438] State and federal law control this policy's content. 105 ILCS 5/2-3.64a-5(b) requires the Ill. State Board of Education (ISBE) to "establish the academic standards that are to be applicable to students who are subject to State assessments." It contains the schedule for assessing students by calendar year and grade. Further information on ISBE assessments is available at: www.isbe.net/Pages/Assessment.aspx.

105 ILCS 5/2-3.64a-5(c), amended by P.A. 103-204, requires that the assessment administered by ISBE for the purpose of student application to or admissions consideration by institutions of higher education be administered on a school day during regular student attendance hours. Student profile information collected by the assessment must also be made available to Illinois public institutions of higher education in a timely manner. Id.

105 ILCS 5/2-3.64a-5(d) contains the requirements for assessing students receiving special education services and students determined to be English learners.

105 ILCS 5/2-3.64a-5(e) requires that student assessment scores be made available to parents/guardians. Scores attained by a student on a final accountability assessment (grades 9 through 12) must be placed in the student's permanent record. Id. and 23 Ill.Admin.Code §375.10. Scores received on state assessments administered in kindergarten through grade 8 must be placed in the student's temporary record. Id.

105 ILCS 5/2-3.64a-10(b) requires ISBE to annually assess all public school students entering kindergarten using a common observational assessment tool, unless ISBE determines that a student is otherwise exempt. However, 105 ILCS 5/2-3.64a-15, added by P.A. 102-875 and amended by P.A. 103-946, prohibits ISBE from requiring a *standardized assessment* for students enrolled or preparing to enroll in pre-K through grade 2. *Standardized assessment* does not include the observational assessment tool for students entering kindergarten, and ISBE may still require assessments used only for *diagnostic and screening purposes*, to determine if individual students need remedial instruction, special education, early intervention, bilingual education, dyslexia services, advanced academic programs as defined in 105 ILCS 5/14A-17, or other related educational services. Id. The law does not prohibit districts or teachers from administering an assessment for an individual classroom, grade level, or group of grade levels in any subject area in pre-K through grade 2, nor does it limit a district's ability to evaluate students for special education services under federal law or to annually assess the English proficiency of English learners under the federal Elementary and Secondary Education Act. Id. at (d), (e), and (f), added by P.A. 102-875.

[439] Required by 105 ILCS 5/2-3.64a-5(c), amended by P.A. 102-204.

[440] 105 ILCS 5/2-3.64a-5(e) and 5/2-3.64a-10(c) requires districts to provide State assessment results/scores to students' parents/guardians. The second part of this provision is optional and may be deleted, i.e., "~~and an evaluation of the student's progress~~."

[441] 105 ILCS 5/2-3.107; 23 Ill.Admin.Code §1.30(b).

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Overall student assessment data on tests required by State law will be aggregated by the District and reported, along with other information, on the District's annual report card.[442] All reliable assessments administered by the District and scored by entities outside of the District must be (1) reported to ISBE on its form by the 30th day of each school year, and (2) made publicly available to parents/guardians of students.[443] Board policy 7:340, *Student Records*, and its implementing procedures govern recordkeeping and access issues. [444]

LEGAL REF.: 20 U.S.C. §1232g, Family Educational Rights and Privacy Act.
105 ILCS 10/, Illinois School Student Records Act.
105 ILCS 5/2-3.63, 5/2-3.64a-5, 5/2-3.64a-10, 5/2-3.64a-15, 5/2-3.107, 5/2-3.153, 5/10-17a, 5/22-82, and 5/27-1.
23 Ill. Admin. Code §§1.30(b) and 375.10.

CROSS REF.: 6:15 (School Accountability), 6:280 (Grading and Promotion), 7:340 (Student Records)

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[442] Required by 105 ILCS 5/10-17a, amended by P.A.s 103-116 and 103-263. School districts must annually, no more than 30 days after receipt from the State Superintendent release their district's and schools' report cards assessing the performance of its schools and students. Districts must: (1) present the report cards at a regular Board meeting, (2) post them on the District's website, (3) make them available to a newspaper of general circulation serving the District, and (4) upon request, send them home to parents/guardians. 105 ILCS 5/10-17a(5). The school report card must describe, among other items, student characteristics, curriculum information, student outcomes and progress, and school environment. The environment report must include indicators from the *school climate survey* approved under 105 ILCS 5/2-3.153 (requires ISBE, in addition to its default school climate survey, to identify two or three alternative school survey instruments from which districts may select). For further information regarding school report card requirements, see sample policy 6:15, *School Accountability*, at f/n 7.

[443] 105 ILCS 5/22-82 requires every school district to report to ISBE for each of its schools, by the 30th day of each school year, all reliable assessments the district administers that are scored by entities outside of the district. The district must make the report on an ISBE-provided form.

Each school must also make this information publicly available to the parents and guardians of its students through the district's Internet website or distribute the information in paper form. Id. at (b). See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Although not required by law, if a board wants to direct that this information be shared more broadly with the public for greater transparency, add "and to the community" after "parents/guardians of students."

[444] 105 ILCS 5/2-3.64a-5(e) governs recording assessment results in school student records. See f/n 1, above.

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Students

Equal Educational Opportunities [445]

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race,[446] national origin, religion, sex,[447] sexual orientation, ancestry, age, physical or mental disability, gender identity,[448] status of being homeless, immigration status, order of protection status, military status, unfavorable military discharge, reproductive health decisions, or actual or potential marital or parental status, including pregnancy.[449] Further, the District will not knowingly enter into agreements with any entity or any individual

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[445] State or federal law requires this subject matter be covered by policy and controls this policy's content.

[446] The Ill. Human Rights Act (IHRA) defines *race* to include traits associated with race, including, but not limited to, hair texture and protective hairstyles such as braids, locks, and twists. 775 ILCS 5/1-103(M-5), added by P.A. 102-1102. The Ill. Dept. of Human Rights' (IDHR) jurisdiction over schools as "places of public accommodation" is limited, see f/n 4, below. See also sample policy 7:160, *Student Appearance*, regarding hairstyles associated with race.

[447] With some exceptions, Title IX of the Education Amendments of 1972 (Title IX) guarantees that "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance..." 20 U.S.C. §1681(a). Prohibited sex discrimination in violation of Title IX includes sex-based harassment and "discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity." 34 C.F.R. §§ 106.2, 106.10. See sample policy 2:265, *Title IX Grievance Procedure*, for further discussion.

[448] Adopting separate policies or inserting policy statements about accommodations and inclusion of transgender students in the educational program are unsettled areas of the law. Some lawyers believe doing so may open boards to equal protection challenges for not creating separate policies for other protected statuses, e.g., race, national origin, religion, etc. Executive Order (EO) 2019-11, titled "Strengthening Our Commitment to Affirming and Inclusive Schools" established the Affirming and Inclusive Schools Task Force (Task Force) to identify strategies and best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students. The Task Force delivered a report that served as the basis for two non-regulatory guidance documents entitled *Supporting Transgender, Nonbinary and Gender Nonconforming Students* and *Sample District Policy and Administrative Procedures* at www.isbe.net/supportallstudents. The Ill. State Board of Education (ISBE) hosts these documents on its website.

Consult the board attorney if your board wishes to adopt a separate policy or insert policy statements about accommodations and inclusion of transgender students.

For boards that want to incorporate ISBE's *Sample District Policy and Administrative Procedures* policy recommendation into this policy, insert the following in place of "gender identity,": gender, gender identity (whether or not traditionally associated with the student's sex assigned at birth), gender expression.

If the board inserts this option, it must also insert the options in f/n 7, below and in f/n 2 of sample policy 7:20, *Harassment of Students Prohibited*, but note the protected statuses list in this policy is different and should not be copied from here into 7:20, *Harassment of Students Prohibited*.

See sample administrative procedure 7:10-AP1, *Accommodating Transgender, Nonbinary, or Gender Nonconforming Students*, for a case-by-case procedure that school officials may use when a student requests an accommodation based upon his or her gender identity.

For a list of policies that address the equal educational opportunities, health, safety, and general welfare of students within the District, see sample exhibit 7:10-E, *Equal Educational Opportunities Within the School Community*.

[449] Many civil rights laws guarantee equal education opportunities; see citations in the Legal References.

In 23 Ill.Admin.Code §1.240, ISBE states that "no school system may deny access to its schools or programs to students who lack documentation of their immigration status or legal presence in the United States, and no school system may inquire about the immigration status of a student (Plyler v. Doe, 457 U.S. 202 (1982))."

775 ILCS 5/1-102(A), amended by P.A.s 103-472 and 103-785, eff. 1-1-25, lists the following protected categories: race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, pregnancy, reproductive health decisions, or unfavorable discharge from military service in connection with employment, real estate transactions, access to financial credit, and the availability of public accommodations, including in elementary, secondary, and higher education. See sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*, and its footnotes for definitions of some of these terms.

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that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under Board policy 8:20, *Community Use of School Facilities*.[450] Any student may file a discrimination complaint by using Board policy 2:260, *Uniform Grievance Procedure*, or in the case of discrimination on the basis of race, color, or national origin, Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*.[451]

The IHRA prohibits schools from discriminating against students on the bases of *reproductive health decisions*. 775 ILCS 5/1-103(Q), amended by P.A. 107-783, eff. 1-1-25. See 775 ILCS 5/1-103(O-2), amended by P.A. 103-785, eff. 1-1-25, for a definition of *reproductive health decisions*.

The IHRA and an ISBE rule prohibit schools from discriminating against students on the basis of *sexual orientation* and *gender identity*. 775 ILCS 5/1-103(Q), 5/5-101(11), and 5/5-102; 23 Ill.Admin.Code §1.240. *Sexual orientation* is defined as the "actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person's designated sex at birth." 775 ILCS 5/1-103(O-1). *Gender identity* is included in the definition of sexual orientation in the Act. The Act permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103.

The IHRA's jurisdiction in regard to schools as places of public accommodation is specifically limited to: (1) failing to enroll an individual, (2) denying or refusing full and equal enjoyment of facilities, goods, or services, or (3) failing to take corrective action to stop severe or pervasive harassment of an individual. 775 ILCS 5/5-102.2, amended by P.A. 102-1102.

[450] 23 Ill.Admin.Code §200.40(g) prohibits entering into agreements with entities that discriminate against students on the basis on sex. Section 200.80(a)(4) contains an exception for single sex youth organizations, e.g., Girl Scouts. Note that the U.S. Supreme Court refused to apply New Jersey's public accommodation law to the Boy Scouts because forcing the Scouts to accept a homosexual as a member would violate the Scouts' freedom of expressive association. Boy Scouts of America v. Dale, 530 U.S. 640 (2002). When deciding whether to allow non-school groups to use its facilities, a public school district may not engage in viewpoint discrimination. Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).

[451] Districts must have a grievance procedure. See the Legal References following this policy and 105 ILCS 5/22-95, added by P.A. 103-472, regarding the internal complaint process for claims of discrimination on the basis of race, color, or national origin, which is addressed in sample policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. Absent a specific statute or rule, there is no consensus on whether students have the right to appeal a board's decision to the Regional Superintendent and thereafter to the State Superintendent pursuant to 105 ILCS 5/2-3.8.

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Sex Equity [452]

No student shall, based on sex, sexual orientation, or gender identity[453] be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using Board policy 2:260, *Uniform Grievance Procedure*. A student may appeal the Board's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8). [454]

Any student may file a sex discrimination complaint by using Board policy 2:265, *Title IX Grievance Procedure*.

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[452] Every district must have a policy on sex equity. 23 Ill.Admin.Code §200.40(b). The IHRA, Public Accommodation section, prohibits schools from: (1) failing to enroll an individual, (2) denying or refusing an individual full and equal enjoyment of its facilities, goods, or services, or (3) failing take corrective action to stop severe or pervasive harassment of an individual (775 ILCS 5/5-102.2, amended by P.A. 102-1102), on the basis of the individual's sex or sexual orientation, among other classifications (775 ILCS 5/5-101(11)). Every four years, districts must evaluate their policies and practices to identify and eliminate sex discrimination as well as evaluate course enrollment data to identify disproportionate enrollment based on sex. In-service training for all staff members is required. 23 Ill.Admin.Code §200.40(e).

Every four years, districts must survey students about their athletic interests and must use survey results in planning for the future and assessing current program comparability. 23 Ill.Admin.Code §200.80(b)(1). Equal participation and equal opportunity in athletics is addressed in Title IX implementing regulations. 34 C.F.R. §106.41. Generally, when a school district offers a team for one gender but not for the other, a member of the excluded gender is allowed to try out for the team unless the sport is a *contact sport*. Contact sports are boxing, wrestling, rugby, ice hockey, football, basketball, and other sports involving bodily contact. The rules also list the factors that determine whether equal opportunities are available to both genders. These include: whether the selection of athletics accommodates the interests and abilities of both genders; equipment and supplies; scheduling; opportunity to receive coaching and academic tutoring; locker rooms, practice facilities, and fields; and publicity. See sample policy 2:265, *Title IX Grievance Procedure*, for further discussion.

105 ILCS 5/10-20.60 requires public schools to provide reasonable accommodations to breastfeeding students. See sample administrative procedure 7:10-AP2, *Accommodating Breastfeeding Students*, for specific *reasonable accommodations* under Illinois law.

105 ILCS 5/10-20.63, amended by P.A. 102-340, requires school districts to make menstrual hygiene products (defined as tampons and sanitary napkins for use in connection with the menstrual cycle) available, at no cost to students, in bathrooms of every school building that is open for student use in grades 4 through 12 during the regular school day. **Note:** While P.A. 102-340 expanded the availability of menstrual hygiene products to students in grades 4 and 5, it did not expand the definition of *school building*, which remains defined as serving students in grades 6 through 12. Consult with the board attorney about implementing this law.

[453] For boards that want to incorporate ISBE's *Sample District Policy and Administrative Procedures* policy recommendations into this policy (see f/n 4 above), insert:

1. In place of "or gender identity" as follows: "~~or~~ gender identity, or gender expression".
2. The following sentence as the second sentence of this subhead: "Students shall be supported in a manner consistent with their gender identity. This will include, but not be limited to, use of restrooms, locker rooms, and other facilities that correspond with the student's gender identity."

[454] Districts must have a sex equity grievance procedure and must tell students that they may appeal a board's resolution of a sex equity complaint to the Regional Superintendent and, thereafter, to the State Superintendent. 23 Ill.Admin.Code §200.40. Student complaints regarding breastfeeding accommodations must also be processed in accordance with these procedures as well as Title IX. See sample policies 2:260, *Uniform Grievance Procedure*, at f/n 9, and 2:265, *Title IX Grievance Procedure*.

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

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Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator, who also serves as the District's Title IX Coordinator.[455] The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and related grievance procedures. [456]

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
29 U.S.C. §791 et seq., Rehabilitation Act of 1973; 34 C.F.R. Part 104.
42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).
Ill. Constitution, Art. I, §18.
105 ILCS 5/3.25b, 5/3.25d(b), 5/10-20.12, 5/10-20.60, 5/10-20.63, 5/10-22.5, and 5/27-1.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
775 ILCS 35/5, Religious Freedom Restoration Act.
23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:130 (Student Rights and Responsibilities), 7:160 (Student Appearance), 7:165 (School Uniforms), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:250 (Student Support Services), 7:330 (Student Use of Buildings - Equal Access), 7:340 (Student Records), 8:20 (Community Use of School Facilities)

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[455] Required by regulations implementing Title IX. 34 C.F.R. §106.8(a). See f/n 25 in sample policy 2:260, *Uniform Grievance Procedure*. If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, amend this sentence to state: "The Superintendent shall appoint a Nondiscrimination Coordinator and a Title IX Coordinator."

[456] Required by regulations implementing Title IX. 34 C.F.R. Part 106; 23 Ill.Admin.Code §200.40. Comprehensive faculty and student handbooks can provide required notices, along with other important information, to recipients. Handbooks can be developed by the building principal but should be reviewed and approved by the superintendent and board. Faculty handbooks may contain working conditions and be subject to mandatory collective bargaining. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/msh.

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Students

Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students [457]

Required Health Examinations and Immunizations

A student's parents/guardians shall present proof that the student received a health examination, with proof of the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health (IDPH), within one year prior to:

1. Entering kindergarten or the first grade; [458]
2. Entering the sixth and ninth grades;[459] and
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, Head Start programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out-of-country). [460]

Proof of immunization against meningococcal disease is required for students in grades 6 and 12. [461]

As required by State law:

1. Health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice registered nurse, or a physician assistant who has been delegated the performance of health examinations by a supervising physician. [462]
2. A diabetes screening is a required part of each health examination; diabetes testing is not required. [463]
3. An age-appropriate developmental screening and an age-appropriate social and emotional screening are required parts of each health examination.[464] A student will not be excluded from school due to his or her parent/guardian's failure to obtain a developmental screening or a social and emotional screening. [465]

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[457] State or federal law controls this policy's content. The policy restates 105 ILCS 5/27-8.1. Immunization requirements are found in 77 Ill.Admin.Code §665.240. A Tuberculosis skin test is required if the student lives in an area designated by the Ill. Dept. of Public Health (IDPH) as having a high incidence of Tuberculosis. See also *Questions & Answers Regarding School Health Requirements*, revised May 2013, and available at: www.dhs.state.il.us/onenetlibrary/27897/documents/schoolhealth/faq_2013.pdf.

[458] 105 ILCS 5/27-8.1(1); 77 Ill.Admin.Code §§665.140 and 665.240 et seq.

[459] Id.

[460] Id. If grade levels are not assigned, examinations must be completed within one year prior to the school year in which the child reaches the ages of five, 11, and 15. 77 Ill.Admin.Code §665.140(b).

[461] 410 ILCS 315/1.10; 77 Ill.Admin.Code §665.240(l). For students attending school programs where grade levels (kindergarten through 12) are not assigned, including special education programs, students must show proof that they have received one dose of meningococcal conjugate vaccine in the school year in which the child reaches age 11 and a second dose in the school year in which the child reaches age 16 (but if the first dose is administered when the child is 16 years of age or older, only one dose is required). Students eligible to remain in public school beyond grade 12 (special education) shall meet the requirements for 12th grade.

[462] 105 ILCS 5/27-8.1(2); 77 Ill.Admin.Code §665.130.

[463] 105 ILCS 5/27-8.1(2); 77 Ill.Admin.Code §665.700.

[464] 105 ILCS 5/27-8.1(2); 77 Ill.Admin.Code Part 664. The health care provider must only record whether or not the social and emotional screening was completed.

[465] 105 ILCS 5/27-8.1(2.5); 77 Ill.Admin.Code §664.140. Item #3 may be supplemented with any of the following options:

Option 1: If proof of the developmental screening or the social and emotional screening portions of the health examination are not presented by October 15 of the current school year, qualified school support personnel may, with a parent/guardian's consent, offer the screenings to the child.

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4. Before admission and in conjunction with required physical examinations, parents/guardians of children between the ages of one and seven years must provide a statement from a physician that their child was *risk-assessed* or screened for lead poisoning. [466]
5. The IDPH will provide all students entering sixth grade and their parents/guardians information about the link between human papillomavirus (HPV) and HPV-related cancers and the availability of the HPV vaccine. [467]
6. The District will provide informational materials regarding influenza and influenza vaccinations developed, provided, or approved by the IDPH when it provides information on immunizations, infectious diseases, medications, or other school health issues to students' parents/guardians. [468]

Unless an exemption or extension applies, the failure to comply with the above requirements by October 15 of the current school year will result in the student's exclusion from school until the required health forms are presented to the District.[469] New students who register after October 15 of the current school year shall have 30 days following registration to comply with the health examination and immunization regulations.[470] If a medical reason prevents a student from receiving a required immunization by October 15, the student must present, by October 15, an immunization schedule and a statement of the medical reasons causing the delay.[471] The schedule

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Option 2: Once a student presents proof that he or she received a developmental screening or a social and emotional screening, the school may, with a parent/guardian's consent, make available appropriate school personnel to work with the parent/guardian, child, and provider who signed the screening form to obtain any appropriate evaluations and services.

Option 3:(The use of both Option 1 and 2.)

a. If proof of the developmental screening or the social and emotional screening portions of the health examination are not presented by October 15 of the current school year, qualified school support personnel may, with a parent/guardian's consent, offer the screenings to the child.

b. Once a student presents proof that he or she received a developmental screening or a social and emotional screening, the school may, with a parent/guardian's consent, make available appropriate school personnel to work with the parent/guardian, child, and provider who signed the screening form to obtain any appropriate evaluations and services.

Note: Even if the district does not offer the above optional services, consult the board attorney about whether the presence of developmental or social and emotional screening information on the Child Health Examination form triggers child find obligations under the Individuals with Disabilities Education Act and/or Section 504 of the Rehabilitation Act of 1973.

[466] Required by 410 ILCS 45/7.1. Physicians are required to screen children over 7 years of age for lead poisoning when, in the physician's judgment, a child is at risk. 410 ILCS 45/6.2.

[467] This sentence restates the requirement in the Communicable Disease Prevention Act regarding HPV-related cancer prevention. 410 ILCS 315/2e.

[468] 105 ILCS 5/27-8.1(8.5), amended by P.A. 103-985, eff. 1-1-25.

[469] 105 ILCS 5/27-8.1(5) requires compliance by October 15 unless a district establishes an earlier date with 60 days' notice. If an earlier date is established, replace "October 15" in this paragraph with the earlier locally established date. During any student's exclusion from school for non-compliance with this policy, the student's parents/guardians shall be considered in violation of 105 ILCS 5/26-1 and subject to any penalty imposed by 105 ILCS 5/26-10, as provided in 105 ILCS 5/27-8.1(5). 105 ILCS 5/27-8.1(2.5) exempts developmental or social and emotional screenings from the exclusion from school requirement.

Note: 77 Ill.Admin.Code §665.240(n) states "It is not the intent of this Part that any child whose parents comply with the intent of this Part, the Act or the School Code should be excluded from a child care facility or school. A child or student shall be considered in compliance with the law if there is evidence of the intent to comply. Evidence may be: 1) a signed statement from a health care provider that he or she has begun, or will begin, the necessary immunization procedures; or 2) the parent's or legal guardian's written consent for the child's participation in a school or other community immunization program." Consult with the board attorney about the impact this regulation may have on the district's ability to and procedures for excluding students for non-compliance with this policy.

[470] This sentence is optional. The timeframe of 30 days is a matter of local discretion except that out-of-state transfer students who fail to provide proof of the required vaccinations after 30 days must be excluded until such proof is properly submitted. 105 ILCS 5/27-8.1(5). Consult the board attorney about establishing timeframes other than 30 days.

[471] This sentence and the following sentence restate 105 ILCS 5/27-8.1(5).

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and statement of medical reasons must be signed by the physician, advanced practice registered nurse, physician assistant, or local health department responsible for administering the immunizations.

A student transferring from out-of-state who does not have the required proof of immunizations by October 15 may attend classes only if he or she has proof that an appointment for the required vaccinations is scheduled with a party authorized to submit proof of the required vaccinations.[472] If the required proof of vaccination is not submitted within 30 days after the student is permitted to attend classes, the student may no longer attend classes until proof of the vaccinations is properly submitted.[473]

Eye Examination [474]

Parents/guardians are encouraged to have their children undergo an eye examination whenever health examinations are required. [475]

Parents/guardians of students entering kindergarten or an Illinois school for the first time shall present proof before October 15 of the current school year that the student received an eye examination within one year prior to entry of kindergarten or the school. A physician licensed to practice medicine in all of its branches, or a licensed optometrist, must perform the required eye examination.

If a student fails to present proof by October 15, the school may hold the student's report card until the student presents proof: (1) of a completed eye examination, or (2) that an eye examination will take place within 60 days after October 15. The Superintendent or designee shall ensure that parents/guardians are notified of this eye examination requirement in compliance with the rules of the IDPH. Schools shall not exclude a student from attending school due to failure to obtain an eye examination.

Dental Examination [476]

All children in kindergarten and the second, sixth, and ninth grades must present proof of having been examined by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the IDPH.

If a child in the second, sixth, or ninth grade fails to present proof by May 15, the school may hold the child's report card until the child presents proof: (1) of a completed dental examination, or (2) that a dental examination will take place within 60 days after May 15. The Superintendent or designee shall ensure that parents/guardians are notified of this dental examination requirement at least 60 days before May 15 of each school year.

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[472] Id. The special treatment of out-of-state transfer students resulted from the enactment of the Educational Opportunity for Military Children Act, 105 ILCS 70/. There are no more sunset dates in this law, which eliminates its constituents' need to continually revisit the law and extend its effective dates.

[473] 105 ILCS 5/27-8.1.

[474] Required by 105 ILCS 5/27-8.1(1.10) and 5/27-8.1(2). The IDPH's rules are published at 77 Ill.Admin.Code §665.610 et seq. §§665.150 and 630 prescribe the statewide eye examination report form, available at: www.idph.state.il.us/HealthWellness/EyeExamReport.pdf or 77 Ill.Admin.Code §665, Appendix A.

[475] While 105 ILCS 5/27-8.1 requires eye examinations for students entering kindergarten or an Illinois school for the first time, it still encourages parents/guardians to have their children undergo eye examinations at the same points in time as their required health examinations. The IDPH must require that individuals conducting vision screenings give a child's parent/guardian a written notification stating (105 ILCS 5/27-8.1(2)):

> Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months.

[476] Required by 105 ILCS 5/27-8.1(1.5). The IDPH's rules are published at 77 Ill.Admin.Code §665.410 et seq. §§665.150 and 430 prescribe the statewide dental examination report form, available at: www.idph.state.il.us/HealthWellness/oralhlth/DentalExamProof10.pdf or 77 Ill.Admin.Code §665, Appendix D.

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Exemptions [477]

In accordance with rules adopted by the IDPH, a student will be exempted from this policy's requirements for:

1. Religious grounds, if the student's parents/guardians present the IDPH's Certificate of Religious Exemption form to the Superintendent or designee. When a Certificate of Religious Exemption form is presented, the Superintendent or designee shall immediately inform the parents/guardians of exclusion procedures pursuant to Board policy 7:280, *Communicable and Chronic Infectious Disease*, and State rules if there is an outbreak of one or more diseases from which the student is not protected. [478]
2. Health examination or immunization requirements on medical grounds, if the examining physician, advanced practice registered nurse, or physician assistant provides written verification.
3. Eye examination requirement, if the student's parents/guardians show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or a licensed optometrist.
4. Dental examination requirement, if the student's parents/guardians show an undue burden or a lack of access to a dentist.

Homeless Child

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment.[479] Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.: 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
105 ILCS 5/27-8.1 and 45/1-20.
410 ILCS 45/7.1, Lead Poisoning Prevention Act.
410 ILCS 315/2e, Communicable Disease Prevention Act.
23 Ill.Admin.Code §1.530.
77 Ill. Admin.Code Part 664, Socio-Emotional and Developmental Screening.
77 Ill.Admin.Code Part 665, Child and Student Health Examination and Immunization.
77 Ill.Admin.Code Part 690, Control of Notifiable Diseases and Conditions Code.

CROSS REF.: 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children), 6:180 (Extended Instructional Programs), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:280 (Communicable and Chronic Infectious Disease)

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[477] Id.; 105 ILCS 5/27-8.1(1.10) and 5/27-8.1(8).

[478] Id.; 77 Ill.Admin.Code §665.510. The Certificate of Religious Exemption form is available on IDPH's website at: https://dph.illinois.gov/content/dam/soi/en/web/idph/files/forms/religious-exemption-form-081815-040816.pdf. To direct parents/guardians to the detailed exclusionary requirements pursuant to 77 Ill.Admin.Code Part 690, see sample exhibit 7:280-E2, *Reporting and Exclusion Requirements for Common Communicable Diseases*. The IDPH maintains communicable disease guidance for school nurses, which includes a chart detailing mode of transmission, symptoms, incubation period, period of communicability, criteria for exclusion from school, reporting requirements, and prevention and control measures at: https://dph.illinois.gov/topics-services/diseases-and-conditions/infectious-diseases/cd-school-nurse-guidance.html.

[479] Required by 105 ILCS 45/1-20 (Education for Homeless Children Act). Also required by the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11432(g)(3)(C)(i).

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Students

Student Appearance [480]

A student's appearance, including dress and hygiene, must not disrupt the educational process or compromise standards of health and safety. The District does not prohibit hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists.[481] The District also does not prohibit the right of a student to wear or accessorize the student's graduation attire with items associated with the student's cultural, ethnic, or religious identity or other characteristic or category protected under the Ill. Human Rights Act, 775 ILCS 5/1-103(Q).[482] Students who disrupt the educational process or compromise standards of health and safety must modify their appearance. Procedures for guiding

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[480] Required by 105 ILCS 5/10-22.25b, amended by P.A.s 102-360 and 103-463, for recognition under 105 ILCS 5/2-3.25. For districts to receive recognition from the Ill. State Board of Education (ISBE), they must provide assurances of compliance with the *Jett Hawkins Law* (hairstyles) and P.A. 103-463 addressing graduation attire; this policy's second and third sentences do that. Ill. State Board of Education (ISBE) resources on the *Jett Hawkins Law* are available at: www.isbe.net/jetthawkinslaw. ISBE's *Guidance on Display of Graduation Attire and Inclusion of Culturally Appropriate Regalia* (June 2024) is available at: www.isbe.net/Documents/Graduation-Attire-Guidance.pdf. State or federal law also controls this policy's content.

105 ILCS 5/10-22.25b, amended by P.A.s 102-360 and 103-463, specifically authorizes a school board to adopt a school uniform or dress code policy. **There are hundreds of decisions on dress codes and uniform policies, making it imperative that a board contact its attorney for assistance in applying the law to specific fact situations.**

Generally, if a student's dress has sufficient communicative content, it will warrant First Amendment protection. If protected, a school's ability to regulate the dress will be analyzed according to Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503 (1969) – it may be regulated only if it would substantially disrupt school operations or interfere with the right of others. In Brandt v. Bd. of Educ. of City of Chicago, 420 F.Supp.2d 921 (N.D.Ill. 2006), *earlier decision*, 326 F.Supp.2d 916 (N.D.Ill. 2004), an Illinois federal court upheld a school's authority to punish students for wearing t-shirts portraying a one-handed boy; the court said: "A school need not tolerate student speech that is inconsistent with the school's basic educational mission even though the First Amendment would protect similar speech or expressive conduct outside of the school setting. This holding is suspect after the Seventh Circuit decision in Zamecnik v. Indian Prairie Sch. Dist. #204, 636 F.3d 874 (7th Cir. 2011). There the court held that the school district violated students' free speech rights by forbidding them from wearing during school hours a T-shirt saying "Be Happy, Not Gay."

A school may regulate student dress that does not have sufficient communicative content to receive free speech protection, provided the regulation is not arbitrary or excessive. Although many courts have ruled similarly with respect to grooming, e.g., hair length, and non-earring piercings, the Seventh Circuit, the federal appellate court that governs Illinois, has struck down school regulations governing hair length and earrings (See Breen v. Kahl, 419 F.2d 1034 (7th Cir. 1969); Crews v. Clones, 432 F.2d 1259 (7th Cir. 1970) (exclusion of long-haired student from class constituted denial of equal protection to male students); Arnold v. Carpenter, 459 F.2d 939 (7th Cir. 1972); Holsapple v. Woods, 500 F.2d 49 (7th Cir. 1974) (limitation of ruling recognized by Hayden ex rel. v. Greensburg Cmty. Sch. Corp., 743 F.3d 569 (7th Cir. 2014) (recognizing school's right to set policy); Olesen by Olesen v. Bd. of Educ. Dist. 228, 676 F.Supp. 820, 822 (N.D.Ill. 1987) (male students have a liberty interest in wearing an earring to school). But see Blau v. Fort Thomas Public Sch. Dist., 401 F.3d 381 (6th Cir. 2005) (upheld a Kentucky middle school's student dress code that prohibited visible body piercing other than ears). A school's uniform policy was upheld in Alwood v. Clark and Belleville Twp. High Sch. Dist. 201, 2005 WL 2001317 (S.D.Ill. 2005).

[481] For boards that want to expand upon the law's requirement of race, ethnicity, or hair texture, amend this sentence as follows:

"The District does not prohibit hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists, nor does it prohibit hairstyles historically associated with any other protected status under Board policy 7:10, *Equal Educational Opportunities*."

If the board chooses this expansion and also uses policy 7:165, *School Uniforms*, ensure that this option aligns with the option in 7:165's f/n 10.

[482] 105 ILCS 5/10-22.25b, amended by P.A.s 102-360 and 103-463. 775 ILCS 5/1-103(Q), which is referenced in 105 ILCS 5/10-22.25b, prohibits unlawful discrimination based on a person's actual or perceived race, color, religion, national origin, ancestry, age, sex, marital status, order of protection status, disability, military status, sexual orientation, pregnancy, or unfavorable discharge from military service. See also f/n 1, above, for more information.

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student appearance will be developed by the Superintendent or designee and included in the *Student Handbook(s)*.[483]

LEGAL REF.: 105 ILCS 5/2-3.25 and 5/10-22.25b.
Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503 (1969).

CROSS REF.: 7:10 (Equal Educational Opportunities), 7:130 (Student Rights and Responsibilities), 7:165 (School Uniforms), 7:190 (Student Behavior)

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[483] A comprehensive Student Handbook can provide notice to parents and students of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The Handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board.

Members of the Ill. Principals Assoc. may subscribe to the IPA's Model Student Handbook Service. While this service is not a handbook *per se*, it provides principals with quick, user-friendly access to model student handbook provisions that are attorney drafted and fully aligned with IASB's policy services. For more information, see www.ilprincipals.org/msh/. See also sample exhibit 7:190-E2, *Student Handbook Checklist*.

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Students

School Uniforms [484]

Students are encouraged to wear school uniforms to school on all school attendance days, in order to maintain and promote orderly school functions, student safety, and a positive learning environment.[485] The Building Principal is authorized to designate days on which this uniform policy is relaxed. [486]

The Superintendent or designee shall designate a school-wide uniform after receiving input from school staff members, parents, and interested community members.[487] Students may: [488]

1. Display religious messages on items of clothing to the same extent they are permitted to display other messages;
2. Wear attire that is part of the student's religious practice;

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[484] State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled. Boards may adopt a school uniform policy, provided it is "necessary to maintain the orderly process of a school function or prevent endangerment of student health or safety." 105 ILCS 5/10-22.25b, amended by P.A.s 102-360 (*Jett Hawkins Law*) and P.A. 103-463 (graduation attire).

[485] Alternatively, the board may designate certain individual attendance centers.

A voluntary school uniform policy permits students to freely choose whether and under what circumstances they will wear the uniform. A voluntary policy allows the district to gauge parental support–something that is vital to the policy's success. In addition, a voluntary policy does not implicate the First Amendment.

Boards may adopt a mandatory uniform policy, with or without an *opt-out* provision. An opt-out provision allows a student to be excused from the policy because of an objection from a parent/guardian based on cultural, religious, or other reasons. While the constitutionality of a mandatory uniform policy is disputed, the inclusion of an opt-out provision reduces vulnerability to constitutional attack. For districts desiring a mandatory uniform policy, substitute this provision for the first sentence (eliminate the 2nd sentence if no opt-out provision is wanted):

Students are required to wear school uniforms to school on all attendance days, unless otherwise indicated by the Building Principal, in order to maintain and promote orderly school functions, student safety, and a positive learning environment. This policy will be waived for any student whose parent/guardian provides the Board with a signed statement detailing the grounds for their objection.

[486] Optional; eliminate this sentence if the board wants to enforce the policy every day.

[487] Boards may allow each school to designate its own uniform or designate a district-wide uniform, as the following alternative provides:

The Superintendent or designee shall designate a district-wide uniform after receiving input from school staff members, parents, and interested community members.

[488] A uniform policy must accommodate students whose religious beliefs are substantially burdened by a uniform requirement. Religious messages may not be singled out for suppression; they must be subject to the same rules as generally apply to other messages. For more information, see U.S. Dept. of Education's publication:

www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html.

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3. Wear or display expressive items, such as a button, as long as such items do not contribute to disruption by substantially interfering with discipline or with the rights of others;[489] and
4. Wear the uniform of a nationally recognized youth organization such as Boy Scouts or Girl Scouts on regular meeting days.

No student shall be denied attendance at school, penalized, or otherwise subject to compliance measures for failing to wear a uniform because of:

1. Personal choice; [490]
2. Insufficient time in which to comply with this policy; [491]
3. Financial hardship; [492]
4. Hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists;[493]
5. Graduation attire or accessories to graduation attire associated with the student's cultural, ethnic, or religious identity or other characteristic or category protected under the Ill. Human Rights Act, 775 ILCS 5/1-103(Q);[494] or
6. Religious objection by the student's parent/guardian to the student's compliance with this policy or the applicable uniform, if they have provided the Superintendent with a signed statement detailing their objection. [495]

Any student eligible for reduced or free lunches, or for a waiver of student fees, is eligible for financial assistance toward the purchase of school uniforms. The Superintendent or designee shall develop a process for

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[489] In 1969, the U.S. Supreme Court recognized that students enjoy First Amendment free speech rights in school but that schools have the authority to limit student speech that might reasonably be predicted to cause a material and substantial disruption or invasion of the rights of others. Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503 (1969). The manner in which this ruling applies to uniform policies is still unsettled. See DePinto v. Bayonne Bd. of Ed., 514 F.Supp.2d 633 (D.N.J. 2007) (a school district was enjoined from disciplining elementary students who wore a button protesting the district's mandatory uniform policy). However, many decisions have upheld a compulsory uniform policy. See Blau v. Ft. Thomas Public Sch. Dist., 401 F.3d 381 (6th Cir. 2005); Canady v. Bossier Parish Sch. Bd., 240 F. 3d 437 (5th Cir 2001); Littlefield v. Forney Sch. Dist., 268 F.3d 275 (5th Cir. 2001); Jacobs v. Clark Cnty. Sch. Dist., 373 F.Supp.2d 1162 (D. Nev. 2005); Phoenix Elementary Sch. Dist. v. Green, 943 P. 2d 836 (Az.Ct. App. 1997); Vines v. Zion Sch. Dist., 2002 WL 58815 (N.D.Ill. 2002); Alwood v. Clark, 2005 WL 2001317 (S.D.Ill. 2005); Bear v. Fleming, 714 F.Supp.2d 972 (S.D. 2010) (requiring students to wear a cap and gown while receiving their diplomas is reasonably related to the school board's legitimate interest in maintaining order). **Before adopting a uniform policy, a board should discuss this issue with its attorney.**

[490] Omit *personal choice* if the district has a mandatory uniform policy.

[491] 105 ILCS 5/10-22.25b.

[492] Id.

[493] Id., amended by P.A. 102-360 (*Jett Hawkins Law*). See f/n 1 in sample policy 7:160, *Student Appearance*.

If the board expanded upon the law's requirement of race, ethnicity, or hair texture, in policy 7:160, *Student Appearance*, amend number 4 as follows to align with it:

"Hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including but not limited to, protective hairstyles such as braids, locks, and twists, or hairstyles historically associated with any other protected status under Board policy 7:10, *Equal Educational Opportunities*."

[494] Id., amended by P.A. 103-463. See f/ns 1 & 3 in sample policy 7:160, *Student Appearance*.

[495] Id. Remove this provision if a mandatory uniform policy is adopted with a provision allowing the parents/guardians to obtain an opt-out (see f/n 2).

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informing parents/guardians of the availability of financial assistance and a method to process financial requests.[496]

No student shall be suspended or expelled from school, or receive a lowered academic grade, because of failing to comply with this policy.[497]

The Superintendent or designee shall develop incentives and positive reinforcement measures to encourage full compliance.[498]

LEGAL REF: 105 ILCS 5/2-3.25 and 5/10-22.25b.

CROSS REF: 4:140 (Waiver of Student Fees), 7:160 (Student Appearance), 7:190 (Student Behavior)

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[496] Id. State law requires the board to establish "criteria and procedures under which the board will accommodate the needs of or otherwise provide appropriate resources to assist a student from an indigent family."

[497] For those boards choosing a mandatory uniform policy with no opt-out provision, replace this sentence with the following:

Disciplinary action may be taken for failure to comply with this policy. Before initiating disciplinary action, a conference with the parent(s)/guardian(s) shall be requested to solicit cooperation and support.

[498] The following alternative takes the board into operational matters but it ensures that the nuts and bolts issues will be covered by administration:

The Superintendent or designee shall develop incentives and positive reinforcement measures to encourage full compliance and shall communicate information to students and parents/guardians concerning:

1. The uniform's description and its availability;
2. The requirements for jackets and outer garments;
3. Optional articles of attire, if any;
4. Compliance measures;
5. Methods to facilitate recycling of uniforms within the school community; and
6. Notice of uniform sales and lists of competitive prices from vendors of uniform articles.

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Students

Prevention of and Response to Bullying, Intimidation, and Harassment [499]

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

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, order of protection status, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic **is prohibited** in each of the following situations: [500]

1. During any school-sponsored education program or activity.

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[499] All districts must have a policy on bullying, monitor it, review and re-evaluate it, and file it with the Ill. State Board of Education (ISBE) every two years, no later than September 30 of the review year. 105 ILCS 5/27-23.7, amended by P.A.s 102-894 and 103-47; 23 Ill.Admin.Code §1.295. The policy must be based on ISBE's template for a model bullying prevention policy (available at www.isbe.net/Documents/Model-Bullying-Prevention-Policy.pdf), contain all requirements of 105 ILCS 5/27-23.7, indicate the date of adoption (by month, day, and year), and be filed electronically each review year through ISBE's IWAS system. 105 ILCS 5/27-23.7(d), amended by P.A. 103-47; 23 Ill.Admin.Code §1.295(b), (c). ISBE monitors policy implementation, including by providing technical assistance upon receipt of an allegation by a parent/guardian that a school or district has not substantially complied with its bullying policy. 23 Ill.Admin.Code §1.295(e), (f). If a district fails to file its policy by the deadline or submits a deficient policy, ISBE will provide a written request for filing and provide the district with technical assistance and resources to assist it in meeting bullying policy requirements and, as appropriate, notify the district's regional office of education or intermediate service center. 105 ILCS 5/27-23.7(d), amended by P.A. 102-894; 23 Ill.Admin.Code §1.295(g). If the district still fails to file its policy within 14 days of receipt of ISBE's written request, ISBE shall issue a letter of non-compliance (23 Ill.Admin.Code §1.295(e)(3)) and publish notice of non-compliance on its website (105 ILCS 5/27-23.7(g)(3)).

This sample policy's first paragraph allows a school board to consider its goals for preventing bullying and remedying its consequences; it may be amended.

In addition to a bullying prevention policy, all districts must have a policy on student behavior. 105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280. Boards must, in consultation with their parent-teacher advisory committees and other community-based organizations, address aggressive behavior, including bullying, in their student behavior policy. See sample policy 7:190, *Student Behavior*, and sample exhibit 7:190-E1, *Aggressive Behavior Reporting Letter and Form*.

This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. See f/n 9, below.

Additionally, 105 ILCS 5/27-23.7(f), added by P.A. 103-47, requires districts to collect non-identifiable data regarding verified allegations of bullying within the District and submit it in an annual report to ISBE by no later than August 15 of each year, beginning with the 2024-25 school year through the 2030-31 school year. ISBE rules for data submission require that data be submitted electronically on a form approved by ISBE and include: (1) a record of each verified allegation of bullying and action taken; (2) whether the instance of bullying was based on actual or perceived characteristics identified in 105 ILCS 5/27-23.7(a) and, if so, lists the relevant characteristics; and (3) a record demonstrating that the district adhered to its bullying policy. 23 Ill.Admin.Code §1.295(h). See www.isbe.net/Pages/Bullying-Prevention.aspx for ISBE's *Racism-Free Schools Law and Bullying Prevention Data Collection Guidance* (8-7-24) and *Bullying Racism Free Schools Data Collection Template*.

[500] This paragraph and its subparts 1-4 are from the bullying prevention statute. 105 ILCS 5/27-23.7(a); see also 775 ILCS 5/1-103 and 23 Ill.Admin.Code §1.240. With the exception of order of protection status, the protected statuses are mandated by the bullying prevention statute. *Order of protection status* is not a basis for bullying in 105 ILCS 5/27-23.7, amended by P.A.s 102-894 and 103-47, but it is listed here because the Ill. Human Rights Act (IHRA) prohibits harassment based on *order of protection status*. 775 ILCS 5/1-103(K-5), (Q). Including *order of protection status* in the list of protected statuses aligns with the protected statuses listed in sample policy 7:20, *Harassment of Students Prohibited*.

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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 from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the School District or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any nonschool-related activity, function, or program.

Definitions from 105 ILCS 5/27-23.7 [501]

Bullying includes *cyberbullying* and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;
3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

Cyberbullying means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. *Cyberbullying* includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying. *Cyberbullying* also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of *bullying*.

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health

[501] All definitions are directly from 105 ILCS 5/27-23.7. See also resources from Cyberbullying Research Center, available at: www.cyberbullying.org/, and the U.S. School Safety Clearinghouse website at: www.SchoolSafety.gov, discussed in f/n 1, para. 3 of sample policy 4:170, *Safety*.

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needs in order to keep students in school, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Ill. Human Rights Act. [502]

School personnel means persons employed by, on contract with, or who volunteer in a school district, including without limitation school and school district administrators, teachers, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards. [503]

Bullying Prevention and Response Plan

The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below. [504]

1. The District uses the definition of *bullying* as provided in this policy. [505]
2. Bullying is contrary to State law and the policy of this District. However, nothing in the District's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any staff member with whom the student is comfortable speaking.[506] Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District named officials or any staff member. The District named officials and all staff members are available for help with a bully or to make a report about bullying.[507] Anonymous reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

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[502] 105 ILCS 5/27-23.7(b), amended by P.A. 102-241.

[503] 105 ILCS 5/27-23.7(b), amended by P.A. 102-197.

[504] Each numbered requirement, 1-12, corresponds with the same number in 5/27-23.7(b)(1) - (b)(12), and the requirements of 105 ILCS 5/27-23.7(b)(13) are included in numbered requirement 4. As a result, there are no reference citations in footnotes. All non-statutory requirements, plus alternatives and optional provisions, are described in footnotes.

[505] 105 ILCS 5/27-23.7(b), para. 3(1). See f/n 4, above and ISBE's *School Policies for Bullying Prevention* at: www.isbe.net/Documents/Bullying-Prev-Policy-Req.pdf.

A board may augment the School Code requirement by using this alternative:

Using the definition of *bullying* as provided in this policy, the Superintendent or designee shall emphasize to the school community that: (a) the District prohibits bullying; and (b) all students should conduct themselves with a proper regard for the rights and welfare of other students. This may include a process for commending or acknowledging students for demonstrating appropriate behavior.

[506] The statute requires that the policy contain the email address and telephone number for the staff person(s) responsible for receiving bullying reports. Using the district Nondiscrimination Coordinator and Complaint Managers is consistent with sample policy 2:260, *Uniform Grievance Procedure*. While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored. A telephone number for making anonymous reports may also be added.

[507] 105 ILCS 5/27-23.7(d), requires that "[s]chool personnel available for help with a bully or to make a report about bullying" be made known to parents/guardians, students, and school personnel.

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Nondiscrimination Coordinator: [508]

_____
Name

_____
Address

_____
Email

_____
Telephone

Complaint Managers:

_____	_____
Name	Name
_____	_____
Address	Address
_____	_____
Email	Email
_____	_____
Telephone	Telephone

4. Consistent with federal and State laws and rules governing student privacy rights, the parents/guardians of all students involved in an alleged incident of bullying will be notified of such, along with threats, suggestions, or instances of self-harm determined to be the result of bullying, within 24 hours after the school's administration is made aware of the student's involvement in the incident. As appropriate, the school's administration shall also discuss the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. The school shall make diligent efforts to notify a parent or legal guardian, utilizing all contact information the school has available or that can be reasonably obtained within the 24-hour period. [509]
5. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things:
    a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident.

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[508] Sample policy 2:260, *Uniform Grievance Procedure*, states that a district's Nondiscrimination Coordinator also serves as its Title IX Coordinator. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, list the Title IX and Nondiscrimination Coordinators' names separately in this policy. Best practice is that throughout the district's board policy manual, the same individual be named as Nondiscrimination Coordinator. In contrast, Complaint Managers identified in individual policies may vary depending upon local district needs.

[509] 105 ILCS 5/10-20.14 contains a similar requirement. See sample exhibit 7:190-E1, *Aggressive Behavior Reporting Letter and Form.*

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b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
c. Notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible after the report is received.
d. Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

The Superintendent or designee shall investigate whether a reported incident of bullying is within the permissible scope of the District's jurisdiction and shall require that the District provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs. [510]

6. The Superintendent or designee shall use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services. [511]
7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion[512] with regard to students.
8. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) *bullying*, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.
9. The District's bullying prevention and response plan is based on the engagement of a range of school stakeholders, including students and parents/guardians.
10. The Superintendent or designee shall post this policy on the District's publicly accessible website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty. [513]
11. Pursuant to State law and Board policy 2:240, *Board Policy Development*, the Board monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary

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[510] This sentence contains requirements found in 105 ILCS 5/27-23.7(d), amended by P.A. 102-894.

[511] A grant may be available from ISBE for the promotion of a safe and healthy learning environment. 105 ILCS 5/2-3.180 and 3.181, added by P.A. 101-438 and renumbered by P.A. 102-558. A list of grant funding opportunities is available at: www.isbe.net/Pages/Grants.aspx. ISBE is also directed to create the Illinois Bullying and Cyberbullying Prevention Fund, through which a grant may be available to support anti-bullying programming. 30 ILCS 105/5.997 and 105 ILCS 5/27-23.7(i)-(j), all added by P.A. 103-47.

[512] Consult the board attorney about the potential conflict of 105 ILCS 5/27-23.7(b)(7) (allowance of suspension and/or expulsion of students for reprisal/retaliation against reports of bullying) with 105 ILCS 5/10-22.6(b-20) (districts must resolve threats, address disruptions, and minimize the length (and implementation of) suspensions and expulsions to the greatest extent practicable). See sample policies 7:200, *Suspension Procedures*, at f/n 8 and 7:210, *Expulsion Procedures*, at f/ns 11 and 13.

[513] 105 ILCS 5/27-23.7(b)(10), amended by P.A. 103-47.

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and appropriate revisions. The Superintendent or designee shall assist the Board with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. This process shall include, without limitation: [514]

a. The frequency of victimization;
b. Student, staff, and family observations of safety at a school;
c. Identification of areas of a school where bullying occurs;
d. The types of bullying utilized; and
e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following:

i. An updated version of the policy with the amendment/modification date included in the reference portion of the policy;
ii. If no revisions are deemed necessary, a copy of board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or
iii. A signed statement from the Board President indicating that the Board re-evaluated the policy and no changes to it were necessary.

The Superintendent or designee must post the information developed as a result of the policy re-evaluation on the District's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30.

12. The Superintendent or designee shall fully implement the Board policies, including without limitation, the following: [515]

a. 2:260, *Uniform Grievance Procedure*. A student may use this policy to complain about bullying.
b. 2:265, *Title IX Grievance Procedure*. Any person may use this policy to complain about sex discrimination in violation of Title IX of the Education Amendments of 1972.
c. 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. Any person may use this policy to complain about discrimination or harassment on

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[514] 105 ILCS 5/27-23.7. See the ISBE guidance document that is cited in f/n 7, above.

[515] The statute requires that the bullying policy *be consistent with* other board policies. The list of policies may be deleted and the following alternative used: "12. The District's bullying prevention plan must be consistent with other Board policies." If a policy list is included, be sure the referenced policies were adopted locally and amend the list accordingly.

The bullying statute does not identify staff member duties regarding the prevention of or response to student bullying. The following optional provision addresses staff member responsibilities and may be added as a new paragraph 13:

13. The Superintendent or designee shall fully inform staff members of the District's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes each of the following:

a. Communicating the District's expectation and State law requirement that teachers and other certificated or licensed employees maintain discipline.
b. Establishing the expectation that staff members: (1) intervene immediately to stop a bullying incident that they witness or immediately contact building security and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
c. Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs.
d. Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying.

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the basis of race, color, or national origin in violation of Title VI of the Civil Rights Act of 1964 and/or the Illinois Human Rights Act.

d. 6:60, *Curriculum Content*. Bullying prevention and character instruction is provided in all grades in accordance with State law.

e. 6:65, *Student Social and Emotional Development*. Student social and emotional development is incorporated into the District's educational program as required by State law.

f. 6:235, *Access to Electronic Networks*. This policy states that the use of the District's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use.

g. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student based on an identified actual or perceived characteristic (the list of characteristics in 7:20 is the same as the list in this policy).

h. 7:185, *Teen Dating Violence Prohibited*. This policy prohibits teen dating violence on school property, at school sponsored activities, and in vehicles used for school-provided transportation.

i. 7:190, *Student Behavior*. This policy prohibits, and provides consequences for, hazing, bullying, or other aggressive behaviors, or urging other students to engage in such conduct.

j. 7:310, *Restrictions on Publications; Elementary Schools*, and 7:315, *Restrictions on Publications; High Schools*. These policies prohibit students from and provide consequences for: (1) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (2) creating and/or distributing written, printed, or electronic material, including photographic material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members. [516]

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6(b-20), 5/24-24, and 5/27-23.7.
405 ILCS 49/, Children's Mental Health Act.
775 ILCS 5/1-103, Ill. Human Rights Act.
23 Ill.Admin.Code §§1.240, 1.280, and 1.295.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

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[516] For elementary districts, delete: ~~and 7:315, *Restrictions on Publications; High Schools*~~ and delete the Cross Reference to 7:315, *Restrictions on Publications; High Schools*. For high school districts, delete ~~7:310, *Restrictions on Publications; Elementary Schools,* and~~ and delete the Cross Reference to 7:310, *Restrictions on Publications; Elementary Schools*. In both cases, revise the beginning of the sentence to read: "This~~e~~ policy~~ies~~ prohibits students from and provides."

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Group 4

Students

Exhibit - Student Handbook Checklist

The Checklist contains mandatory and recommended notices that schools should give to their students and the students' parents/guardians.[10] *Mandatory* means the notices are legally required. *Recommended* means including the notices are a best practice. The Checklist is in the IASB Policy Reference Manual (PRM) format, and it lists corresponding policies, procedures, and exhibits in numerical order within each sub-headed category. A corresponding citation to the Ill. Principals Association **Online Model Student Handbook (MSH)** is also listed, if one exists. Any handbook should be reviewed by the Board Attorney before distribution to ensure that all mandatory notices are included as this Checklist is subject to change without notice. This Checklist is not a substitute for legal advice.

Mandatory Notices

Student Services

Mandatory Topics	IASB PRM	IPA MSH
Transportation	4:110, *Transportation*	4.10, *Bus Transportation*
Transportation reimbursement eligibility and dispute resolution **Note**: this program has been withdrawn due to lack of funding	4:110, *Transportation*	4.10, *Bus Transportation*
Eligibility criteria for free and reduced lunch	4:130, *Free and Reduced-Price Food Services* 4:130-E, *Free and Reduced-Price Food Services; Meal Charge Notifications*	1.210, *Free and Reduced-Price Food Services; Meal Charge Notifications* 3.10, *Fees, Fines & Charges; Waiver of Student Fees*
Waiver of school fees along with the fee waiver application form	4:140, *Waiver of Student Fees* 4:140-AP, *Fines, Fees, and Charges - Waiver of Student Fees* 4:140-E1, *Application for Fee Waiver*	3.10, *Fees, Fines & Charges; Waiver of Student Fees* 3.10-E1, *Application for Fee Waiver*

[10] In its continuing commitment to help school districts comply with legal requirements for all policies and procedures, the Ill. Principals Association (IPA) in conjunction with the Ill. Association of School Boards' (IASB) **PRESS**, have prepared this checklist to assist school administrators in preparing their student handbooks. A special thank you also goes to the law firm of Hodges, Loizzi, Eisenhammer, Rodick & Kohn LLP for allowing IPA and IASB to cross check this *Student Handbook Checklist* against its annual version.

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Mandatory Topics	IASB PRM	IPA MSH
	4:140-E3, *Response to Application for Fee Waiver, Appeal, and Response to Appeal*	
School Wellness (required if the District participates in the National School Lunch Program or Breakfast Program)	6:50, *School Wellness*	
Alternative learning opportunities	6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*	2.90, *Credit for Proficiency, Non-District Experiences, Couse Substitutions and Accelerated Placement*
Notification to parents/guardians of English Learners regarding their child's placement in, and information about, the District's English Learners programs	6:160, English Learners	12.60, *English Learners*
Parental involvement under Title I (only when the district receives Title I funds)	6:170, *Title 1 Programs* 6:170-AP1, *Checklist of Development, Implementation, and Maintenance of Parent and Family Engagement Compacts for Title I Programs* 6:170-AP1, E1, *District-Level Parent and Family Engagement Compact* 6:170-AP1, E2, *School-Level Parent and Family Engagement Compact* 6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless Assistance, and Protection of Pupil Rights Laws*	12.130, *Parent Notices Required by the Every Student Succeeds Act*
Notice to parents required by the Elementary and Secondary Education Act	6:170-AP2, *Notice to Parents Required by Elementary and Secondary Education, McKinney-Vento Homeless*	12.130, *Parent Notices Required by the*

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Mandatory Topics	IASB PRM	IPA MSH
	Assistance, and Protection of Pupil Rights Laws	*Every Student Succeeds Act*
Surveys that request personal information from students	7:15, *Student and Family Privacy Rights*	11.10, *Student Privacy Protections*
Birth certificate requirements for enrollment	7:50, *School Admissions and Student Transfers To and From Non-District Schools* 7:50-AP, *School Admissions and Student Transfers To and From Non-District Schools*	
Dental examinations (K, 2nd, 6th, and 9th grade students)	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Eye examinations (K and students enrolling in public school for the first time only)	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Vaccinations (influenza)	7:100, *Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students*	5.10, *Immunization, Health, Eye & Dental Examination*
Administration of medications (includes asthma inhalers and epinephrine injectors, opioid antagonists, and glucagon)	7:270, *Administering Medicines to Students* 7:270-AP1, *Dispensing Medication* 7:270-E1, *School Medication Authorization Form*	5.20, *Student Medication* 5.20-E1, *Student Medication Authorization Form*
Names of designated Prioritization of Urgency of Need for Services (PUNS)-trained employee(s) in each school within the District.	5:100, *Staff Development Program*	10.70, *PUNS Database Information for Students and Parents or Guardians*

Student Programs

Mandatory Topics	IASB PRM	IPA MSH
Notice of instruction in recognizing and avoiding sexual abuse	6:60-AP1, *Comprehensive Health Education Program* 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness*	12.40, *Family Life & Sex Education Classes* 12.40-E1, *Notice to Parents/Guardians*

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Mandatory Topics	IASB PRM	IPA MSH
	and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt-outs	*on Sex Education Instruction*
Free appropriate public education to students with disabilities Special education services to eligible children whether or not enrolled in the District	6:120, *Education of Children with Disabilities* 6:120-AP1, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities* (downloadable from IASB website, www.iasb.com) 6:120-AP1, E1, *Notice to Parents/Guardians Regarding Section 504 Rights*	10.10, *Education of Children with Disabilities*
Counseling options for students who are affected by sexual abuse and grooming behavior, along with options for victims of sexual abuse and grooming behavior to obtain assistance and intervention	7:250, *Student Support Services* 7:250-AP2, *Protocol for Responding to Students with Social, Emotional, or Mental Health Needs*	5.30, *Guidance and Counseling*
Opportunities for registered apprenticeship programs for students in grades 9-12 who are 16 years or older	6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*	2.90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*

Student Responsibilities

Mandatory Topics	IASB PRM	IPA MSH
IHSA policy on banned substances (required only for IHSA schools)	6:190, *Extracurricular and Co-Curricular Activities* 6:190-AP, *Academic Eligibility for Participation in Extracurricular Activities* 7:240, *Conduct Code for Participants in Extracurricular Activities*	9.10, *Extracurricular and Athletic Activities Code of Conduct*

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Mandatory Topics	IASB PRM	IPA MSH
	7:240-AP1, *Code of Conduct for Extracurricular Activities*	
Absenteeism and truancy	7:70, *Attendance and Truancy*	2.10, *Attendance* 2.50, *Truancy*
Statement of district ownership of and right to search student lockers	7:140, *Search and Seizure*	8.10, *Search and Seizure*
Search procedures for school grounds and lockers	7:140, *Search and Seizure*	8.10, *Search and Seizure*
Notification regarding access to student accounts or profiles on social networking websites	7:140, *Search and Seizure* 7:140-E, *Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act*	8.10, *Search and Seizure*
Bullying prohibited and reporting encouraged	7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*	6.40, *Prevention of and Response to Bullying, Intimidation, and Harassment* 6.40-E1, *Aggressive Behavior Reporting Letter and Form*
Teen dating violence prohibited and reporting encouraged	7:185, *Teen Dating Violence Prohibited*	6.45, *Sexual Harassment & Teen Dating Violence Prohibited*
Prohibition of electronic paging devices and making threat by Internet	7:190, *Student Behavior*	6.30, *Student Behavior*
All prohibited conduct in the school discipline code, including, but not limited to: 1. Controlled substances 2. Firearms and other weapons 3. E-cigarettes 4. Gangs and gang-related activity 5. Sexting prohibited	4:170-AP2, E4, *Letter to Parents/Guardians About Preventing and Reducing Incidences of Sexting* 7:190, *Student Behavior* 7:190-AP5, *Student Handbook - Electronic Devices* 7:190-AP6, *Guidelines for Investigating Sexting Allegations*	6.30, *Student Behavior*

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Mandatory Topics	IASB PRM	IPA MSH
Inform parents/guardians when their child engaged in aggressive behavior along with the school's early intervention procedures	7:190-E1, *Aggressive Behavior Reporting Letter and Form*	6.40-E1, *Aggressive Behavior Reporting Letter and Form*
Suspension and expulsion, and due process requirements	7:200, *Suspension Procedures* 7:210, *Expulsion Procedures*	6.30-E1, *Short Term Out-of-School Suspension (1-3 Days) Reporting Form* 6.30-E2, *Long Term Out-of-School Suspension (4-10 Days) Reporting Form*
School bus safety	7:220, *Bus Conduct* 4:110-AP3, *School Bus Safety Rules*	4.10, *Bus Transportation* 4.15-E, *School Bus Safety Rules*
Videotape surveillance of buses (if applicable)	7:220, *Bus Conduct* 7:220-AP, *Electronic Recordings on School Buses*	4.10, *Bus Transportation*
Behavior interventions (these may be developed through the Spec. Ed. Coop if the district belongs to one)	7:230, *Misconduct by Students With Disabilities*	10.20, *Discipline of Students with Disabilities*
Dress code	7:160, *Student Appearance*	1.170, *Student Appearance* 6.20, *School Dress Code & Student Appearance*
All other conduct prohibited by Board policy - school discipline code	7:190, *Student Behavior*	6.30, *Student Behavior*

Student Rights

Mandatory Topics	IASB PRM	IPA MSH
Notice of prohibition of discrimination on the basis of sex under Title IX; that inquiries may be directed to the District Title IX	2:265, *Title IX Grievance Procedure* 2:265-AP1, *Title IX Response*	1.50, *Equal Educational Opportunities and Sex Equity*

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Mandatory Topics	IASB PRM	IPA MSH
Coordinator, the U.S. Dept. of Education's Office for Civil Rights or both; contact information for the Title IX Coordinator; how to locate board policy; and how to make reports or complaints of sex discrimination		6.40, *Prevention of and Response to Bullying, Intimidation, and Harassment*
Prohibition of discrimination on the basis of race, color, national origin, sex, sexual orientation, ancestry, age, religious beliefs, physical or mental disability, status as homeless, or actual or potential marital or parental status, including pregnancy	7:10, *Equal Educational Opportunities* 2:265, *Title IX Grievance Procedure*	1.50, *Equal Educational Opportunities and Sex Equity*
Sex equity and grievance procedures	2:260, *Uniform Grievance Procedure* 2:265, *Title IX Grievance Procedure* 7:10, *Equal Educational Opportunities* 7:20, *Harassment of Students Prohibited*	1.50, *Equal Educational Opportunities and Sex Equity*
Sexual harassment prohibited and grievance procedures and age-appropriate information about the sexual harassment policy	2:260, *Uniform Grievance Procedure* 2:265, *Title IX Grievance Procedure* 7:20, *Harassment of Students Prohibited* 7:185, *Teen Dating Violence Prohibited*	6.45, *Sexual Harassment & Teen Dating Violence Prohibited*
Board policy prohibiting discrimination and harassment based on race, color, and national origin, and retaliation, and an accessible and age-appropriate summary of the policy	2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*	6.42, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*
Notify parents of their right to request their child's classroom teachers' qualifications	5:190-E1, *Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications*	12.130, *Parent Notices Required by the Every Student Succeeds Act*

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Mandatory Topics	IASB PRM	IPA MSH
Educational rights of homeless students in the location where homeless children receive services	6:140, *Education of Homeless Children* 6:140-AP, *Education of Homeless Children*	12.30, *Homeless Child's Right to Education*
Notice of parent/guardian and student rights under the Protection of Pupil Rights Act	7:15, *Student and Family Privacy Rights* 7:15-E, *Notification to Parents of Family Privacy Rights*	11.10, *Student Privacy Protections*
Notice to parents/guardians about social network passwords	7:140, *Search and Seizure* 7:140- E, *Letter to Parents/Guardians Regarding the Right to Privacy in the School Setting Act*	6.70, *Access to Student Social Networking Passwords & Websites*
Notice concerning privacy and access rights to school student records	7:340, *Student Records* 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records* 7:340-AP1, E2, *Using a Photograph or Video Recording of a Student*	11.20, *Student Records*
Disclosure of directory information	7:340-AP1, *E1, Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records* 7:340-AP1, E2, *Using a Photograph or Video Recording of a Student*	11.20, *Student Records*
Information classified as directory information and for objecting to disclosure of information	7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*	11.20, *Student Records*
Military recruiting	7:340-AP1, E3, *Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information* 7:340-AP1, E4, *Frequently Asked Questions Regarding Military*	11.20, *Student Records*

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Mandatory Topics	IASB PRM	IPA MSH
	Recruiter Access to Students and Student Information	
Student biometric information (when applicable)	7:340, *Student Records* 7:340-AP1, E5, *Biometric Information Collection Authorization*	11.30, *Student Biometric Information*
Notice to parents/guardians concerning student data collected by schools and operators under the Student Online Personal Protection Act	7:345-AP, E2, *Student Data Privacy; Notice to Parents About Educational Technology Vendors*	7.40, *Annual Notice to Parents about Educational Technology Vendors Under the Student Online Personal Protection Act*
Notice of disability accommodation	8:70, *Accommodating Individuals with Disabilities*	1.110, *Accommodating Individuals with Disabilities*

General Information

Mandatory Topics	IASB PRM	IPA MSH
Notice before a pesticide application	4:160, *Environmental Quality of Buildings and Grounds* 4:160-AP, *Environmental Quality of Buildings and Grounds*	12.80, *Pesticide Application Notice*
Availability of information concerning sex offenders	4:175-AP1, *Criminal Offender Notification Laws; Screening* 4:175-AP1, E1, *Informing Parents/Guardians About Offender Community Notification Laws*	12.110, *Sex Offender Notification Law*
School bus safety	4:110-AP3, *School Bus Safety Rules*	4.10, *Bus Transportation*
Asbestos management plan, notice of availability		
Notice to parents/guardians and staff of IHSA's online training video about hands-only CPR and AED	4:170, *Safety* 4:170-AP6, E1, *School Staff AED Notification Letter*	

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Mandatory Topics	IASB PRM	IPA MSH
Evidence-informed educational information for parents/guardians on the warning signs of child sexual abuse and grooming, and assistance, referral, or resource information	4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*	1.180, *Awareness and Prevention of Child Sexual Abuse, Grooming Behaviors, and Boundary Violations*
Contact information for the National Suicide Prevention Lifeline, the Crisis Text Line, and either the Safe2Help Illinois helpline and/or a local suicide prevention hotline	7:290, *Suicide and Depression Awareness and Prevention* 7:290-AP, *Resource Guide for Implementation of Suicide and Depression Awareness and Prevention Program*	
Notice that a student athlete and his/her parent must sign acknowledgement of receiving the concussion policy (required only for IHSA schools)	7:305, *Student Athlete Concussions and Head Injuries* 7:305-AP, *Program for Managing Student Athlete Concussions and Head Injuries*	9.30, *Student Athlete Concussions and Head Injuries*
School visitation rights notice	8:95-E1, *Letter Notifying Parents/Guardians of School Visitation Rights* 8:95-E2, Verification of School Visitation	12.70, *School Visitation Rights*
Ill. State Board of Elections one-page document explaining voter registration process, available at www.elections.il.gov/ (high schools only)		
Employee code of professional conduct	5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*	1.185, *Faith's Law Notifications*
Notice to parents/guardians of the availability of the Ill. State Board of Education's *Sexual Abuse Response and Prevention Resource Guide*, at www.isbe.net/Documents/Faiths-Law-Resource-Guide.pdf	5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*	1.200, *Sexual Abuse Response and Prevention Resource Guide*

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Recommended Notices

Student Services

Recommended Topics	IASB PRM	IPA MSH
Information regarding waiver of student fees	4:140, *Waiver of Student Fees*	3.10, *Fees, Fines & Charges; Waiver of Student Fees*
Fire drill program, building specific plan	4:170, *Safety* 4:170-AP1, *Comprehensive Safety and Security Plan*	5.40, *Safety Drill Procedures and Conduct*
School safety plans, including severe weather and injury or sudden illness	4:170, *Safety* 4:170-AP1, *Comprehensive Safety and Security Plan* 4:170-AP1, E1, *Accident or Injury Form*	2.100, *Home and Hospital Instruction*
School violence prevention program, including threat assessment teams	4:190, *Targeted School Violence Prevention Program* 4:190-AP2, *Threat Assessment Team (TAT)*	5.70, *Targeted School Violence Prevention Program* 5.70-E, *Targeted School Violence Prevention and Threat Assessment Education*
Home and hospital instruction	6:150, *Home and Hospital Instruction*	2.100, *Home and Hospital Instruction*
Student residency and tuition	7:60, *Residence* 7:60-AP1, *Challenging a Student's Residence Status* 7:60-AP2, *Establishing Student Residency* 7:60-AP2, E1, *Letter of Residence from Landlord in Lieu of Lease* 7:60-AP2, E2, *Letter of Residence to be Used When the Person Seeking to Enroll a Student is Living with a District Resident* 7:60-AP2, E3, *Evidence of Non-Parent's Custody, Control and Responsibility of a Student*	

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Recommended Topics	IASB PRM	IPA MSH
Parking, building specific	7:140, *Search and Seizure*	4.20, *Parking*
Health and school counselor and social work access	7:250, *Student Support Services*	5.30, *Guidance & Counseling*
Communicable and infectious disease	7:280, *Communicable and Chronic Infectious Disease* 7:280-AP, *Managing Students with Communicable or Infectious Diseases*	5.50, *Communicable Disease* 5.60, *Head Lice*
Students with diabetes	6:120-AP4, *Care of Students with Diabetes*	1.130, *Care of Students with Diabetes* 1.130-E1, *Authorization to Provide Diabetic Care*
Medical cannabis administration	7:270-E2, *School Medication Authorization Form - Medical Cannabis*	5.20, *Student Medication*
Anaphylaxis prevention and response	7:285, *Anaphylaxis Prevention, Response, and Management Program* 7:285-AP, *Anaphylaxis Prevention, Response, and Management Program*	1.190, *Prevention of Anaphylaxis*
Telephone use, building specific		

Student Programs

Recommended Topics	IASB PRM	IPA MSH
Weighted grades	6:280-AP, *Evaluating and Reporting Student Achievement*	
District philosophy and goals	1:30, *School District Philosophy* . 3:10, *Goals and Objectives* 6:10, *Educational Philosophy and Objectives*	
Remote Learning and/or e-learning program(s)	6:20, *School Year Calendar and Day*	

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Recommended Topics	IASB PRM	IPA MSH
	6:20-AP, *Remote and/or Blended Remote Learning Day Plan(s)* 6:185, *Remote Educational Program*	
Anti-bias curriculum	6:60, *Curriculum Content*	
Driver education eligibility and requirements (high schools only)	6:60, *Curriculum Content*	
Parental objections to sex education, family life instruction, and sexually transmitted diseases	6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and /or Opt-outs*	12.40, *Family Life & Sex Education Classes* 12.40-E1, *Notice to Parents/Guardians on Sex Education Instruction*
Biking and Walking Safety Education	6:60-AP1, E2, *Resources for Biking and Walking Safety Education*	
Accelerated placement availability	6:135, *Accelerated Placement Program*	2:90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*
Adaptive physical education program exemption	6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*	2.80, *Exemption from PE Requirement (Regular Education)*
Bilingual education availability	6:160, *English Learners*	12.60, *English Learners*
Co-curricular activities	6:190, *Extracurricular and Co-Curricular Activities*	9.10, *Extracurricular and Athletic Activities Code of Conduct*
"No Pass, No Play"	6:190, *Extracurricular and Co-Curricular Activities* 6:190-AP, *Academic Eligibility for Participation in Extracurricular Activities*	9.10, *Extracurricular and Athletic Activities Code of Conduct*

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Recommended Topics	IASB PRM	IPA MSH
Parental right to review instructional materials	6:210, *Instructional Materials*	11.10, *Student Privacy Protections*
Acceptable use and Internet safety	6:235, *Access to Electronic Networks* 6:235-AP1, *Acceptable Use of the District's Electronic Networks* 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks* 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks*	7.10, *Acceptable Use of the District's Electronic Networks* 7.10-E1, *Student Authorization for Access to the District's Electronic Networks*
Social promotion	6:280, *Grading and Promotion* 6:280-AP, *Evaluating and Reporting Student Achievement*	2.60, *Grading and Promotion*
High school graduation requirements (high schools only)	6:300, *Graduation Requirements*	2.120, *High School Graduation Requirements*
Right of students with IEP to participate in graduation ceremony (high schools only)	6:300, *Graduation Requirements*	10.40, *Certificate of High School Completion*
Physical education, including waiver of required classes	6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*	2.80, *Exemption from PE Requirement (Regular Education)* 10.30, *Exemption from PE Requirement (Special Education)*
Class schedules, building specific		
Schedule of testing programs, building specific	6:340, *Student Testing and Assessment Program*	
Student distribution of non-curricular material	7:310, *Restrictions on Publications; Elementary Schools* 7:310-AP, *Guidelines for Student Distribution of Non-School Sponsored Publications; Elementary Schools*	7.20, *Guidelines for Student Distribution of Non-School Sponsored Publications*

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Recommended Topics	IASB PRM	IPA MSH
	7:315, *Restrictions on Publications; High Schools* 7:315-AP, *Guidelines for Student Distribution of Non-School Sponsored Publications; High Schools*	7.27, *Access to Non-School Sponsored Publications*

General Information

Recommended Topics	IASB PRM	IPA MSH
School calendar	6:20, *School Year Calendar and Day*	
Field trip	6:240, *Field Trips* 6:240-AP, *Field Trip Guidelines*	6.60, *Field Trips*
Release time for religious instruction/observance	7:80, *Release Time for Religious Instruction/Observance*	2.30, *Release Time for Religious Instruction and Observance*
Release time for students voting in elections	7:90, *Release During School Hours*	
Extracurricular drug and alcohol testing (if applicable)	7:240-AP2, *Extracurricular Drug and Alcohol Testing Program* 7:240-AP2, E1, *Consent to Participate in Extracurricular Drug and Alcohol Testing Program*	9.10, *Extracurricular and Athletic Activities Code of Conduct*
Eligibility to remove college entrance exams from student transcripts	7:340, *Student Records*	11.20, *Student Records*
Equal access to school facilities	8:20, *Community Use of School Facilities*	
Identification and registration of persons entering the school building	8:30, *Visitors to and Conduct on School Property*	1.40, *Visitors*
Statement that the handbook is: 1. Only a summary of board policies governing the district; board policies are available to the public at the district office	2:240, *Board Policy Development*	1.20, *Student/Parent Handbook Acknowledgement and Pledge* 1.30, *General School Information*

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Recommended Topics	IASB PRM	IPA MSH
2. A document that may be amended during the year without notice 3. Is a communication tool of all policies to persons expected to execute and comply with them		
Address of District offices, list of administrators, and contact information	2:250, *Access to District Public Records* 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	1.30, *General School Information*
Board members' names	2:250, *Access to District Public Records* 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	1.30, *General School Information*
List of District school addresses	2:250, *Access to District Public Records* 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*	1.30, *General School Information*

Special Circumstance Notifications

Special Circumstance Topics	IASB PRM	IPA MSH
Notification for unsafe school transfer choice	4:170, *Safety* 4:170-AP5, *Unsafe School Choice Option*	12.100, *Unsafe School Choice Option*

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Special Circumstance Topics	IASB PRM	IPA MSH
Notification of right to review teachers' qualifications	5:190, *Teacher Qualifications* 5:190-E1, *Notice to Parents of Their Right to Request Their Child's Classroom Teachers' Qualifications* 5:190-E2, *Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements* 5:190-E3, *Letter to Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements for the Grade Level and Subject Area of Assignment*	12.130, *Parent Notices Required by the Every Student Succeeds Act*
Notice when: 1. Student is being taught by a teacher who is not highly qualified, 2. School identified as in need of improvement, 3. Schools are identified for corrective action, 4. Schools are identified for restructuring, 5. There is eligibility for supplemental educational services, and 6. The district offers voluntary school choice, if applicable	5:190-E2, *Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Straight Weeks By a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements* 6:15, *School Accountability*	
Credit for proficiency	6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*	2.90, *Credit for Proficiency, Non-District Experiences, Course Substitutions and Accelerated Placement*

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Students

Student Handbook - Hazing Prohibited [118]

Soliciting, encouraging, aiding, or engaging in hazing, no matter when or where it occurs, is prohibited. *Hazing* means any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students. [119]

Students engaging in hazing will be subject to one or more of the following disciplinary actions:

1. Removal from the extracurricular activities,
2. Conference with parents/guardians, and/or
3. Referral to appropriate law enforcement agency.

Students engaging in hazing that endangers the mental or physical health or safety of another person may also be subject to:

1. Suspension for up to 10 days, and/or [120]
2. Expulsion for the remainder of the school term. [121]

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[118] State or federal law controls this student handbook provision's content. This provision concerns an area in which the law is unsettled in that a school's authority to discipline a student for off-campus hazing is unclear and highly fact-sensitive.

The district itself may be liable for a civil rights violation when school officials participate in hazing rituals. Hilton v. Lincoln-Way High Sch., 1998 WL 26174 (N.D. Ill. 1998) (female band member, who was hazed during a required retreat, stated a cause of action under §1983).

A district must identify a connection between a student's off-campus misconduct and the school before it may suspend or expel a student. In a case involving an off-campus *powder puff* football game that evolved into senior girls physically hazing junior girls, the federal judge upheld a school's authority to discipline students, saying: "When one set of students sets to prey upon another set of students in a ritualistic exercise, the consequences of which will necessarily effect the students' relationships while they are all in attendance at the same school, the ability of school officials to act in the area and discipline those who went beyond the pale of tolerable student behavior is manifest." Gendelman v. Glenbrook North High Sch. and Northfield Twp. Sch. Dist. 225, 2003 WL 21209880 (N.D. Ill. 2003). In that case, the school handbook expressly prohibited hazing and harassment; this prohibition was not limited to school sponsored events.

Schools have greater latitude to remove students from extracurricular participation than to suspend or expel them from school. See sample policy 7:240, *Conduct Code for Participation in Extracurricular* Activities and its discussion of court cases in f/n 3.

School employees who observe hazing that results in bodily injury to a student must report it to the building principal or superintendent; see sample policy 5:90, *Abused and Neglected Child Reporting*.

[119] According to Illinois criminal law, a person commits hazing who knowingly requires the performance of any act by a student or other person in a school, college, university, or other educational institution of this State, for the purpose of induction or admission into any group, organization, or society associated or connected with that institution if: (a) the act is not sanctioned or authorized by that educational institution; and (b) the act results in bodily harm to any person. 720 ILCS 5/12C-50(a). Consent to being hazed does not provide a defense to prosecution for hazing. 720 ILCS 5/12C-50(a-1), added by P.A. 103-765, eff. 1-1-25. Hazing is a Class A misdemeanor, except hazing that results in death or great bodily harm is a Class 4 felony. 720 ILCS 5/12C-50(b). People v. Anderson, 148 Ill.2d 15 (1992)(hazing statute was not overbroad by punishing constitutionally protected speech because it reached only conduct that recklessly, knowing, or intentionally results in bodily injury).

[120] See sample policy 7:200, *Suspension Procedures*, for further information concerning student suspension.

[121] See sample policy 7:210, *Expulsion Procedures*, for further information concerning student expulsion.

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Students

Administrative Procedure - Use of Isolated Time Out, Time Out, and Physical Restraint[122]

This administrative procedure applies to all students. Isolated time out, time out, and physical restraint shall only be used if the student's behavior presents an imminent danger of serious physical harm to the student or others, and other less restrictive and intrusive measures were tried and proven ineffective in stopping it. The District may not use isolated time out, time out, or physical restraint as discipline or punishment, convenience for staff, retaliation, a substitute for appropriate educational or behavioral support, a routine safety matter, or to prevent property damage in the absence of imminent danger of serious physical harm to the student or others. Any use of isolated time out, time out, or physical restraint by any staff member shall comply with the Ill. State Board of Education (ISBE) rules, Section 1.285, "Requirements for the Use of Isolated Time Out, Time Out, and Physical Restraint."

For further guidance, see ISBE's *Permanent Regulations for the Use of Time Out, Isolated Time Out, and Physical Restraint: Guidance and Frequently Asked Questions*, available at: www.isbe.net/Pages/restraint-time-out.aspx. **Note:** The special education committee of the Ill. Council of School Attorneys collaborated with ISBE on this guidance in its continuing commitment to help school boards and their districts comply with ISBE requirements.

A written record of each episode of isolated time out, time out, or physical restraint must be created by the Superintendent or designee using the ISBE Physical Restraint and Time Out form, available at: www.isbe.net/Pages/restraint-time-out.aspx. Additionally, ISBE's *Physical Restraint, Time Out, and Isolated Time Out Bill of Rights*, at: www.isbe.net/Documents/RTO-Bill-of-Rights.pdf, or a similar document can be provided to parents/guardians within one business day after each incident of isolated time out, time out, or physical restraint to meet notification requirements in 105 ILCS 5/10-22.33(g) and 23 Ill.Admin.Code §1.285(f)(3).

Isolated time out, time out, and physical restraint are defined as follows:

Isolated time out - the involuntary confinement of a student alone in a time out room or other enclosure outside the classroom without a supervising adult in the time out room or enclosure. Isolated time out does not include a student-initiated or student-requested break, a student-initiated or teacher-initiated sensory break, including a sensory room containing sensory tools to assist a student to calm and de-escalate, an in-school suspension or detention, or any other appropriate disciplinary measure, including a student's brief removal to the hallway or similar environment. 23 Ill.Admin.Code §1.285(a).

Time Out - a behavior management technique for the purposes of calming or de-escalation that involves the involuntary monitored separation of a student from classmates with an adult trained under 23 Ill.Admin.Code §1.285(i) for part of the school day, only for a brief time, in a non-locked setting. Time out does not include a student-initiated or student-requested break, a student-initiated or teacher-initiated sensory break, including a sensory room containing sensory tools to assist a student to calm and de-escalate, an in-school suspension or

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[122] 105 ILCS 5/10-20.33, amended by P.A. 102-339; 105 ILCS 5/22-100, added by P.A. 102-806, eff. 1-1-25; 23 Ill.Admin.Code §§1.280 and 1.285. The rules apply to all students. The rules are so filled with minutiae that schools have very few compliance options. One option is to adopt the Ill. State Board of Education (ISBE) rules by reference. This sample administrative procedure uses that option, which is noted explicitly in item #2, below. **Note: To comply with ISBE rules, the sample AP must include local practices**, for items #3, #4, and #5 below. Another option is to prohibit the use of isolated time out, time out, and physical restraint as those terms are defined in the rules. Contact the board attorney for further guidance.

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detention, or any other appropriate disciplinary measure, including a student's brief removal to the hallway or similar environment. 23 Ill.Admin.Code §1.285(a).

Physical restraint - holding a student or otherwise restricting a student's movements using a specific, planned technique. A physical restraint shall not impair a student's ability to breathe or communicate normally, obstruct a student's airway, or interfere with a student's ability to speak. 23 Ill.Admin.Code §1.285(b), (c)(3).

Prone physical restraint is a physical restraint in which a student is held face-down on the floor or other surface and physical pressure is applied to the student's body to keep the student in the prone position. Prone physical restraint is prohibited. 23 Ill.Admin.Code §1.285(c)(4).

Supine physical restraint is a physical restraint in which a student is held face up on the floor or other surface and physical pressure is applied to the student's body to keep the student in the supine position. Supine physical restraint is prohibited unless all of the criteria in 23 Ill.Admin.Code §1.285(c)(5) are met. 23 Ill.Admin.Code §1.285(c)(5).

Restraint does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and designed to prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property. 23 Ill.Admin.Code §1.285(b).

The following also apply:

1. The circumstances under which isolated time out, time out, or physical restraint will be applied are limited to maintaining a safe and orderly learning environment, to the extent necessary to preserve the safety of the student and others. 23 Ill.Admin.Code §1.285(i)(1).
2. The ISBE rules are adopted as the District's written procedure to be followed by staff for the use of isolated time out or physical restraint. 23 Ill.Admin.Code §1.285(i)(2).
3. Staff members shall inform the Building Principal whenever isolated time out, time out, or physical restraint is used, and the Building Principal shall maintain the documentation required according to Section 1.285(j)(3). 23 Ill.Admin.Code §1.285(i)(3).
4. The Building Principal shall investigate and evaluate any incident that results in an injury to the affected student, parent/guardian, staff member, or other individual. 23 Ill.Admin.Code §1.285(i)(4).
5. The Superintendent or designee shall compile an annual review of the use of isolated time out, time out, or physical restraint. The Building Principal shall report the following information to the Superintendent or designee in order to facilitate the report's compilation: 23 Ill.Admin.Code §1.285(i)(5).
    a. The number of incidents involving the use of these interventions;
    b. The location and duration of each incident;
    c. Identification of the staff members who were involved;
    d. Any injuries or property damage that occurred; and
    e. The timeliness of parental or guardian notification and timelines for agency notification and administrative review.

LEGAL REF.: 105 ILCS 5/10-20.33.
23 Ill.Admin.Code §§1.280 and 1.285.

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Students

Administrative Procedure - Student Discipline Guidelines [123]

The intent of these guidelines is to enhance school climate, improve school discipline practices, and ensure that students are disciplined without discrimination on the basis of race, color, national origin, gender, disability, or other protected status. Data collected from Ill. school districts on student discipline is available at www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

Recordkeeping

1. Develop and implement a District-wide uniform discipline referral form that documents each of the following:
   a. Student name
   b. Identity of staff member making referral
   c. Date and time of incident
   d. Location of incident
   e. Description of incident
   f. Description of interventions attempted prior to incident
   g. Description of the incident's effect on other students and/or the learning environment
   h. Parent/guardian contact made (when, how, and by whom)
2. Maintain each of the following data related to student discipline referrals:
   a. Race of the student referred for discipline
   b. Gender of the student referred for discipline
   c. Disability status of the student referred for discipline
   d. Basis for the referral
   e. Identity of the staff member making referral
   f. Race of the staff member making referral
   g. Gender of the staff member making referral
   h. Basis for imposing or not imposing discipline
   i. Description of discipline imposed, if any, and the rationale for its selection
   j. Whether the referral was made to the school resource officer[124] (SRO) or law enforcement
   k. Basis for making the referral to the SRO or law enforcement (if applicable)
   l. Whether there were any criminal charges filed as a result of the student's misconduct

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[123] This guidance aligns with the 1-8-14 *Dear Colleague Letter* issued jointly by the U.S. Dept. of Education (DOE) and U.S. Dept. of Justice (DOJ), and their comprehensive School Climate and School Discipline Guidance Package (a weblink is provided in the Resources section of this procedure). **Note:** These guidance documents were rescinded by a joint DOE and DOJ *Dear Colleague* letter dated 12-21-18, at: www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-201812.pdf. Since July 30, 2021, the letter and rescinding of the letter have been under review by the DOE and DOJ. See also:

Christian County Public Schools, Case No. 03-11-5002 (decision letter issued 2-28-14).
Christina School District, Case No. 03-10-5001 (decision letter issued 12-14-13).
Oakland Unified School District, Case No. 09-12-5001 (decision letter issued 9-27-12).
Independent School District #761, Case No. 05-10-1148 (decision letter issued 5-4-11).

[124] *School resource officer* means a law enforcement officer who has been primarily assigned to a school or school district under an agreement with a local law enforcement agency. 105 ILCS 5/10-20.68.

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m. If the student received an exclusionary consequence (out-of-school suspension or expulsion) for his/her misconduct, whether the student was offered any academic or behavior support services and, if so, which support services

Periodic Review and Self-Monitoring

Review the following on a periodic basis and at least annually:

1. Discipline-related District policies and procedures
   a. Such policies may include:
      7:20, *Harassment of Students Prohibited*
      7:70, *Attendance and Truancy*
      7:130, *Student Rights and Responsibilities*
      7:140, *Search and Seizure*
      7:150, *Agency and Police Interviews*
      7:160, *Student Appearance*
      7:165, *School Uniforms*
      7:170, *Vandalism*
      7:180, *Prevention and Response to Bullying, Intimidation, and Harassment*
      7:185, *Teen Dating Violence Prohibited*
      7:190, *Student Behavior*
      7:200, *Suspension Procedures*
      7:210, *Expulsion Procedures*
      7:220, *Bus Conduct*
      7:230, *Misconduct by Students With Disabilities*
      7:240, *Conduct Code For Participants in Extracurricular Activities*
      7:250, *Student Support Services*
      7:310, *Restrictions on Publications; Elementary Schools*
   b. This review should:
      i. Include input from all members of the school community (administrators, staff, students, parents/guardians, volunteers and community members). Such input may be obtained through school climate surveys, school forums, and the District's parent-teacher advisory committee (established per 105 ILCS 5/10-20.14, amended by P.A. 103-896) and the behavior interventions committee for students with disabilities (established per 105 ILCS 5/14-8.05).
      ii. Ensure policies and procedures (e.g., an individual school's conduct code) have clear definitions of prohibited student conduct, especially those entailing the subjective exercise of discretion.
      iii. Attempt to incorporate alternative disciplinary measures into Board policies and procedures.
      iv. Implement a system of Positive Behavioral Interventions and Support (PBIS) or, if PBIS has been implemented, analyze and monitor its effectiveness and ways to improve it.
6. Discipline data
   a. Data review should analyze each of the following:
      i. Number of referrals by teacher/staff member.
      ii. Race/gender/disability status of referred students by teacher/staff member.
      iii. Overall percentage of student disciplinary referrals by race, gender, and disability status versus the overall percentage of said student groups in the school and District.
      iv. Overall percentage of student disciplinary referrals for a specific offense (i.e., tardy, dress code violation) by race, gender, and disability status versus the overall percentage of said student groups in the school and District.

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v. Overall percentage of student disciplinary referrals resulting in an exclusionary consequence by race, gender, and disability status versus the overall percentage of said student groups in the school and District.
vi. Overall percentage of student disciplinary referrals resulting in a referral to law enforcement by race, gender, and disability status versus the overall percentage of said student groups in the school and District.
vii. Comparison of discipline imposed for the same or similar offense for students of different races, gender, and disability statuses.

b. Compare the District's student discipline data with the data from other school districts. As required by 105 ILCS 5/2-3.162, by Oct. 31 annually, ISBE prepares a report on student discipline from data collected from all Ill. school districts. The report includes data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action, disaggregated by race and ethnicity, gender, age, grade level, whether a student is an English learner, incident type, and discipline duration. It is available at www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx.

c. According to 105 ILCS 5/2-3.162:
   i. School districts that are identified in the top 20% of any of the metrics for three consecutive years must submit a plan identifying its strategies to reduce the use of exclusionary disciplinary practices or racial disproportionality or both, if applicable.
   ii. The plan must be approved by the school board and posted on the district's website. Within one year after being identified, the school district must submit to ISBE and post on the district's website a progress report describing the plan's implementation and the results achieved.

d. If there are any red flags resulting from the data analysis, the discipline committee should meet to determine if there are comparably effective alternative practices or policies that would meet the school's stated educational goal with less of a burden or adverse impact on the disproportionately affected group.

Training

1. Annually train all District staff and school-based law enforcement on each of the following:
   a. The District's discipline-related policies and procedures, including which behaviors fall into categories of misconduct defined therein so that there is consistency in application.
   b. How to apply school discipline policies, procedures, and practices in a fair and equitable manner so as not to disproportionately impact students of color, students of a particular gender, students with disabilities, or at-risk students.
   c. Effective classroom management strategies, recognizing that the removal of students from the classroom is to be used as a last resort.
   d. How to engage students and support positive behavior, including through any PBIS program implemented in the District.
   e. Classroom management techniques and resources available to staff who are having difficulty with classroom management.
   f. The role that school-based law enforcement is expected to play in the discipline process, including when it is or is not appropriate to refer a student to school-based law enforcement.
2. Make reasonable efforts to provide ongoing professional development to all District staff, school board members, and SROs on the requirements of 105 ILCS 5/10-22.6 and 105 ILCS 5/10-20.14, adverse consequences of exclusion and justice system involvement, effective classroom management strategies, culturally responsive discipline, trauma responsive learning environments, the appropriate and available

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supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates. [125]

Notice

Annually notify students and parents/guardians of the District's discipline-related policies and procedures.

1. Use varied communication methods, such as student handbooks, District or school websites, posters, classroom instruction, assemblies, etc.
2. Ensure such notice is provided in an age-appropriate, easily understood manner.
3. Ensure such notice is provided in multiple languages.
4. Explain to students:
   a. The District's discipline-related policies and procedures, including which behaviors fall into categories of misconduct.
   b. Their particular school's discipline-related procedures and conduct codes, including which behaviors fall into categories of misconduct.
   c. Behavior expectations.
   d. Resources and support services available to students.

Collaboration with Law Enforcement

1. Annually train SROs on the District's discipline-related policies and procedures (if applicable).
2. Review the District's reciprocal reporting agreement[126] with local law enforcement agencies to determine if revisions are necessary.
3. Develop and enter into a memorandum of understanding (MOU) with local law enforcement agencies. The MOU should clearly define law enforcement's role in the District's schools. Follow an existing MOU and suggest modifications as the need arises. [127]

Resources

School Climate and Student Discipline Resources: Know the Law (multiple guidance documents), at: https://www.ed.gov/teaching-and-administration/safe-learning-environments/school-safety-and-security/school-climate-and-student-discipline/school-climate-and-student-discipline-resources-know-the-law.

Dear Colleague Letter on Nondiscriminatory Administration of School Discipline, issued by the Civil Rights Division of the U.S. Dept. of Justice and the Office for Civil Rights of the U.S. Dept. of Education on 1-8-14 (no longer available on the U.S. Dept. of Education's website).

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[125] 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896. See sample policy 2:120, *Board Member Development*, at f/n 9, for more information regarding 105 ILCS 5/10-22.6, 105 ILCS 5/10-20.14, and relevant sample policies to reference. See 105 ILCS 5/3-11(b), amended by P.A. 103-413, for the definition of *trauma-responsive learning environments*. The statute does not define *ongoing* or specify whether each group should receive training on all of the topics. As these are important matters, consult the board attorney for guidance.

[126] Pursuant to 105 ILCS 5/10-20.14, school districts are to establish and maintain a parent-teacher advisory committee, whose duties include developing policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal offenses committed by students. In consultation with stakeholders, the Ill. State Board of Education (ISBE) must draft and publish guidance for the development of reciprocal reporting systems by 7-1-25. Id., amended by P.A. 103-896.

[127] 105 ILCS 5/10-20.14(b) encourages school districts to create memoranda of understanding (MOU) with law enforcement agencies. An MOU defines law enforcement's role in schools and describes the respective duties of a school district and local law enforcement agencies. Its purpose is to prevent confusion, decrease conflict, and promote school safety. MOUs vary by community because they are created through a collaborative process involving local school districts and local law enforcement agencies. For an example, see sample exhibit 7:190-E3, *Memorandum of Understanding*.

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Note: This guidance document was rescinded by a joint *Dear Colleague* letter dated 12-21-18, at: www.ed.gov/sites/ed/files/about/offices/list/ocr/letters/colleague-201812.pdf.

Civil Rights Data Collection at: www2.ed.gov/about/offices/list/ocr/data.html?src=rt .

ISBE Data Analysis of Expulsions, Suspensions, and Truants by District at: www.isbe.net/Pages/Expulsions-Suspensions-and-Truants-by-District.aspx

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Students

Administrative Procedure - Student Re-Engagement Guidelines

Actor	Action
Building Principal and/or Dean of Students or designee(s), student's teacher	Determine on a case-by-case basis whether a *re-engagement conference* and/or a *re-engagement plan* is/are appropriate. School boards must adopt a policy on the re-engagement of students who are returning from an exclusionary discipline or an alternative school. 105 ILCS 5/10-22.6(b-25), amended by P.A. 103-896. See Board policy 7:190, *Student Behavior*. While neither a *re-engagement conference* nor a *re-engagement plan* is mandatory, one or both will advance "supporting the student's ability to be successful in school following a period of exclusionary discipline," from Board policy 7:190, *Student Behavior*. As appropriate: 1. Initiate and schedule a *re-engagement conference* with the suspended or expelled student and the student's parent(s)/guardian(s) for a time soon after the student is excluded. If the student is expelled, a second re-engagement conference may be needed before the student's scheduled return date. 2. Develop a *re-engagement plan* for each student who is returning from an exclusionary discipline. The plan may address each of the following, as determined on a case-by-case basis: a. Appropriate and available support services, if any, during the period of exclusionary discipline. For students who are suspended out-of-school for 4 or more school days, districts are required to: (1) provide "appropriate and available support services" during the period of their suspension, (2) determine what are the "appropriate and available support services," and (3) document whether such services are to be provided or whether there are no "appropriate and available support services." 105 ILCS 5/10-22.6(b-25), amended by P.A. 103-896. Districts may refer students who are expelled to "appropriate and available support services." Id. b. Provisions for a suspended student to continue work during an out-of-school suspension or makeup academic credit, such as completing academic work; taking tests or exams; or enrolling in an alternative education program. Districts are required to do this for students who are suspended; it is optional whether to give expelled students this opportunity. 105 ILCS 5/10-22.6(b-30). c. Academic and behavioral re-engagement strategies and interventions, such as the following: i. A plan for the student to receive tutoring (during school, after school, at an alternative site, etc.).

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Actor	Action
	ii. Regularly scheduled and/or impromptu meetings with counseling, guidance, or other staff members. iii. Steps to prevent future misconduct, such as avoiding certain other students and/or situations. iv. Ways to develop the social and emotional skills to cope with adversity. v. An altered schedule. vi. A communication plan between the school and the student and his or her parent(s)/guardian(s). vii. Completion of identified behavioral assessments, with the consent of the parent/guardian, and/or a safety plan where appropriate. 3. Identify community resources that may help the student, such as mental health and behavioral support services and academic supports. **Note:** 20 ILCS 1705/76 requires the Ill. Dept. of Public Health to create and maintain an online database and resource page on its website that contains mental health resources specifically geared toward school social workers, school counselors, parents, teachers, and school support personnel. See the database at: www.dhs.state.il.us/page.aspx?item=118331. Also, the Ill. Public Aid Code, 305 ILCS 5/5-5.23(g) requires the Ill. Dept. of Healthcare and Family Services to restructure the Family Support Program (formerly known as the Individual Care Grant program) to enable early treatment of youth, emerging adults, and transition-age adults with a serious mental illness or serious emotional disturbance.
Parent(s)/Guardian(s), Student, and Building Principal and/or Dean of Students or designee(s)	If scheduled, attend the re-engagement conference during which the following occurs: Help the student understand why he or she was suspended or expelled. Review the re-engagement plan, if any, and make adjustments as needed. Engage in identified community resources that may help the student, such as mental health and behavioral support services and academic supports.

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Students

Suspension Procedures [517]

In-School Suspension [518]

The Superintendent or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

1. Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
2. Students are supervised by licensed school personnel.
3. Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension

The Superintendent or designee shall implement suspension procedures that provide, at a minimum, for each of the following: [519]

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
2. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. An attempted phone call to the student's parent(s)/guardian(s).
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall: [520]

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[517] State law requires districts to have a policy on student discipline. 105 ILCS 5/10-20.14, amended by P.A. 103-896; 23 Ill.Admin.Code §1.280. State or federal law controls this policy's content.

Boards may authorize *by policy* the superintendent, building principal, assistant building principal, or dean of students to suspend students guilty of gross disobedience or misconduct from school, including all school functions. 105 ILCS 5/10-22.6(b), amended by P.A. 103-896. See sample policy 7:190, *Student Behavior*, for such an authorization.

[518] An in-school suspension program may focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel, and districts may employ a school social worker or a licensed mental health professional to oversee in-school suspension programs. 105 ILCS 5/10-22.6(l), amended by P.A. 103-896. Providing programming during in-school suspensions is not required; however, providing educational programs during in-school suspensions will help distinguish them from exclusionary suspensions. See f/n 4 in sample policy 5:230, *Maintaining Student Discipline*, for further discussion of in-school suspension programs. Contact the board attorney for advice concerning amending this section.

20 ILCS 1705/76 requires the Ill. Dept. of Public Health to create and maintain an online database and resource page on its website that contains mental health resources specifically geared toward school social workers, school counselors, parents, teachers, and school support personnel. See the database at: www.dhs.state.il.us.

[519] Suspension procedures are required by State law. 105 ILCS 5/10-22.6, amended by P.A. 103-896. The right to attend school is a property right protected by the due process clause of the U.S. Constitution. Goss v. Lopez, 419 U.S. 565 (1975). Imposing a short deprivation of this property right by suspending a student for 10 or fewer days requires only minimal due process. The student must be generally informed of the reasons for the possible suspension and be permitted to tell his/her version of the story. Making a decision to suspend before the hearing violates the basic due process requirement that the hearing be meaningful. Sieck v. Oak Park-River Forest High Sch., 807 F.Supp. 73 (N.D. Ill. 1992).

[520] 105 ILCS 5/10-22.6, amended by P.A. 103-896.

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a. Provide notice to the parent(s)/guardian(s) of their child's right to a review of the suspension;
b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit; [521]
c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;
d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
e. Depending upon the length of the out-of-school suspension, include the following applicable information:
    i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose: [522]
        1. A threat to school safety, or
        2. A disruption to other students' learning opportunities.
    ii. For a suspension of 4 or more school days, an explanation: [523]
        1. That other appropriate and available behavioral and disciplinary interventions have been exhausted,
        2. As to whether school officials attempted other interventions or determined that no other interventions were available for the student,[524] and
        3. That the student's continuing presence in school would either:
            a. Pose a threat to the safety of other students, staff, or members of the school community, or
            b. Substantially disrupt, impede, or interfere with the operation of the school.
    iii. For a suspension of 4 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Superintendent or designee determining what, if any, appropriate

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Consult the board attorney (1) about the specific documentation required in this portion of the notice, and (2) to ensure that 7:200-E1, *Short Term Out-of-School Suspension (1-3 Days) Reporting Form* and 7:200-E2, *Long Term Out-of-School Suspension (4-10 Days) Reporting Form* reflect the exact practices that the district will use to implement this requirement.

[521] Required by 105 ILCS 5/10-22.6(b-30).

[522] 105 ILCS 5/10-22.6(b-15) explains that "threat to school safety or a disruption to other students' learning opportunities" shall be determined by the school board or its designee on a case-by-case basis. **Consult the board attorney for specific advice regarding the application of these statutory terms in this context (see f/n 8, below).**

[523] 105 ILCS 5/10-22.6(b-20). School officials are granted the sole authority to determine on a case-by-case basis: (1) whether "appropriate and available behavioral and disciplinary interventions have been exhausted;" and (2) whether "the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community, or (ii) substantially disrupt, impede, or interfere with the operation of the school." Consult the board attorney to request specific training for school officials to apply these statutory terms in this context.

[524] While school officials have discretion to determine the length of suspensions, they must resolve threats, address disruptions, and minimize the length of student exclusions to the greatest extent practicable. 105 ILCS 5/10-22.6(b-20). **Consult the board attorney about the practical implementation of documenting other appropriate and available interventions for the student.**

Last, the law also requires school districts to make reasonable efforts to provide ongoing professional development to all school personnel, school board members, and school resource officers on the requirements of 105 ILCS 5/10-22.6 and 105 ILCS 5/10-20.14, adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, *trauma-responsive learning environments* as defined in 105 ILCS 5/3-11(b), appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates. 105 ILCS 5/10-22.6(c-5), amended by P.A. 103-896.

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and available support services will be provided to the student during the length of his or her suspension. [525]

5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Superintendent or designee.
6. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board or a hearing officer appointed by the Board.[526] At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the Superintendent or designee shall invite a representative from a local mental health agency to consult with the Board.[527] After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall specifically detail items (a) and (e) in number 4, above. [528]

LEGAL REF.: Goss v. Lopez, 419 U.S. 565 (1975).
105 ILCS 5/10-20.14, 5/10-22.6.
23 Ill.Admin.Code §1.280.

CROSS REF.: 5:100 (Staff Development Program), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct)

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[525] 105 ILCS 5/10-22.6(b-25), amended by P.A. 103-896. In consultation with stakeholders, the Ill. State Board of Education (ISBE) must draft and publish guidance for the re-engagement of students who are suspended out-of-school, expelled, or returning from an alternative school setting by 7-1-25. Id.

[526] A board may hear student disciplinary cases in a meeting closed to the public. 5 ILCS 120/2(c)(9).

[527] 105 ILCS 5/10-22.6(c), amended by P.A. 102-539.

[528] 105 ILCS 5/10-22.6(b), amended by P.A. 103-896.

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Students

Exhibit - Long Term Out-of-School Suspension (4-10 Days) Reporting Form

Dear Parent(s)/Guardian(s):

Illinois law requires a School District to provide the following information to a parent/guardian of a child who is suspended from school due to an act of gross disobedience or misconduct.

_____ _____

Student Incident Date

Student handbook rule(s) and/or Board policy violated:_____

Date and time of pre-suspension conference with student:_____

(If this conference was not held because the student's conduct posed an immediate danger to persons or property, list the date and time the pre-suspension conference will be conducted.)

Date(s) of suspension:_____

Date student is eligible to return to school:_____

Description of incident: (List all pertinent information (date, time, location) regarding the specific act(s) of gross disobedience or misconduct resulting in the decision to suspend.)

_____

_____

_____

Rationale for the specific duration of the suspension:

_____

_____

_____

It has been further determined that: (At least one of the following must be completed.)

I. **Your child's continued presence at school poses a threat to school safety of other students, staff, or members of the school community.** Due to the egregious nature of your child's conduct (i.e., physical harm, violence, threat) and/or the history or record of your child's past conduct, school officials have determined that your child is likely to engage in similar conduct in the future. These determinations include, but are not limited to, one or more of the following additional reasons: (List explanation below.)

_____

_____

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II. **Your child's continued presence at school substantially disrupts, impedes, or interferes with the operation of the school.** Due to the egregious nature of your child's conduct (i.e., physical harm, violence, threat) and/or the history or record of your child's past conduct school, officials have determined that (a) your child is likely to engage in similar conduct in the future, and/or (b) the presence of your child at school will foster a culture that his or her behavior(s) at school is/are acceptable or tolerated. These determinations include, but are not limited to, or more of the following: (List explanation below.)

_____

_____

The school is required to make all reasonable efforts to resolve threats or disruptions and minimize the length of out-of-school suspensions. The following behavioral and disciplinary interventions have been exhausted *(List all behavioral and disciplinary interventions and resources previously utilized to address the student's behavior or indicate if there are no appropriate and available interventions and resources; e.g., any previous correspondence with parents or guardians about the behavior, check-in/check-out, functional behavioral analysis (FBA), behavioral improvement plan (BIP), social academic instructional group (SAIG), in-school suspension, out-of-school suspension and/or other interventions and resources.)*

_____

_____

_____

During the period of suspension, your child may not be present at school, on grounds owned or controlled by the School District or at any School District activity. Failure to comply with this directive constitutes a trespass and will be dealt with accordingly.

Your child will be given an opportunity to complete missed assignments or work missed during the suspension for equivalent academic credit.

Students that are suspended out-of-school for 4 or more school days must be provided with appropriate and available support services during the period of suspension. The following support services are available to your child: *(Note that this requirement only applies to students who are suspended out-of-school for 4 through 10 school days. List all support services or indicate if no support services are appropriate and available.)*

_____

_____

_____

To discuss this matter, you may contact the Building Principal.

Alternatively, you have the right to have the suspension reviewed by the School Board or a hearing officer acting on the Board's behalf. To schedule a Board hearing, please send a written request within ten (10) calendar days to *(insert name and address of the Superintendent)*.

_____ _____

Building Principal Date

cc: School Board

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Students

Administrative Procedure - School Student Records [128]

This procedure implements Board policy 7:340, *Student Records*. It contains a **Table of Contents** and lettered **Sections**.

Table of Contents

A. Legal Citations and Definitions
B. School Student Records Defined
C. Eligible Students Accorded the Rights of Parent/Guardian
D. Official Records Custodians
E. Maintenance of School Student Records
F. Retention and Destruction of School Student Records
G. Social Security Numbers
H. Access to School Student Records
I. Record of Release
J. Orders of Protection
K. Parenting Plans
L. Transmission of Records for Transfer Students
M. Directory Information
N. Student Record Challenges

Sections

A. Legal Citations and Definitions

The legal requirements contained in this procedure are followed by a citation to the controlling rule and/or statute. Citations in parentheses indicate the location of a named law. For additional clarification regarding a requirement, the cited law should be reviewed.

Definitions are found in the Ill. School Student Records Act and the Ill. State Board of Education (ISBE) rules. 105 ILCS 10/2; 23 Ill.Admin.Code §375.10. For easy reference, some definitions are re-printed in this procedure.

The release of confidential information given by a student to a therapist, e.g., school counselor or psychologist, is not included in these procedures but is governed by the Mental Health and Developmental Disabilities Confidentiality Act (MHDDCA). 740 ILCS 110/.

B. School Student Records Defined

School Student Record means any writing or other recorded information concerning a student and by which a student may be individually identified that is maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored. 105 ILCS 10/2(d).

Special Education Records means school records that relate to identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities under the Individuals

[128] Modify this procedure to align it with board policy. Customize it to reflect the district's practice, particularly to specify the district's treatment of records that the law: (1) says may be kept as either permanent records or temporary records; and (2) allows to be kept as directory information.

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with Disabilities Education Act (20 U.S.C. §1400 et seq.) and Article 14 of the School Code. These records include the report of the multidisciplinary staffing conference on which placement or nonplacement was based and all records and audio recordings in any format relating to special education placement hearings and appeals. 23 Ill.Admin.Code §375.10.

A school student record does not include any of the following:

1. Writings or other recorded information kept in a school staff member's sole possession that is destroyed not later than the student's graduation or permanent withdrawal, and is not accessible or revealed to any other person except a temporary substitute teacher. 105 ILCS 10/2(d).
2. Information maintained by law enforcement professionals working in the school. 105 ILCS 10/2(d).
3. Video or other electronic recordings created and maintained by law enforcement professionals working in the school or for security or safety reasons or purposes, provided the information was created at least in part for law enforcement or security or safety reasons or purposes. This includes, without limitation, electronic recordings made on school buses, as described in the exemption from the criminal offense of eavesdropping in 720 ILCS 5/14-3(m). The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials for disciplinary or special education purposes regarding a particular student. 23 Ill.Admin.Code §375.10. **Note:** For districts and schools that do not have a designated law enforcement unit, consult the Board Attorney regarding designating an employee to serve as the *law enforcement unit* in order to maintain the security camera and determine the appropriate circumstances in which the school would disclose recorded images.
4. Any information, either written or oral, received from law enforcement officials pursuant to 105 ILCS 5/22-20 concerning a student less than the age of 18 years who has been arrested or taken into custody. 23 Ill.Admin.Code §375.10. [129]

C. Eligible Students Accorded the Rights of Parent/Guardian

All rights and privileges concerning school student records that are accorded to parents/guardians become exclusively those of the student when the student reaches 18 years of age, graduates from high school, marries, or enters military service, whichever occurs first. 105 ILCS 10/2(g). Such students are called *eligible students* in this procedure.

D. Official Records Custodians

Each Building Principal is designated the Official Records Custodian for his or her respective school and has the duties, without limitation, listed below. [130]

1. Is responsible for the maintenance, care, and security of all school student records, whether or not the records are in his or her personal custody or control, and shall take all reasonable measures to protect school student records through administrative, technical, and security safeguards against risks, such as unauthorized access, release, or use. 105 ILCS 10/4(a) and (b); 23 Ill.Admin.Code §375.40(g).
2. Reviews student temporary records at least every four years, or upon a student's change in attendance centers, whichever occurs first, to verify entries and to eliminate or correct all out-of-date, misleading, inaccurate, unnecessary, or irrelevant information. The records review is required in any given school year at the time a student first changes attendance centers within the District, but it does not need to be

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[129] Many lawyers believe that once these records are received by a school, they are protected as education records under the federal Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. §1232g). Consult the board attorney for advice.

[130] For districts that have a single District-level records custodian rather than one at each school, use the following alternative sentence: "The District's Official Records Custodian or designee(s) has the duties, without limitation, listed below."

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conducted if the student enrolls in a different attendance center later in that same school year. 23 Ill.Admin.Code §375.40(b).

3. When requested by the Ill. Dept. of Children and Family Services (DCFS) due to an indicated finding being overturned in an appeal or hearing, purges DCFS's final finding report from the student's record in accordance with the Ill. School Student Records Act (105 ILCS 10/) on the date of expungement provided by the report. 325 ILCS 5/8.6, amended by P.A. 103-624, eff. 1-1-25.
4. Manages requests to access school student records.
5. Transfers a certified copy of the records of students transferring to another school and retains the original records.
6. Provides all required notices to parents/guardians and students, including without limitation, each of the following:
   a. Upon initial enrollment or transfer to the school, notification of rights concerning school student records; the notification may be delivered by any means likely to reach parents, including direct mail or email, delivery by the student to the parent, or incorporation into a student handbook. 23 Ill.Admin.Code §375.30.
   b. Annual notification of information that is considered to be *directory information* and of the procedures to be used by parents/guardians to request that specific information not be released. 23 Ill.Admin.Code §375.80.
   c. Notification to secondary students and their parents/guardians that they may opt out of the disclosure of students' names, addresses, and telephone listings to military recruiters and institutions of higher learning by submitting a written request that such information not be released without the prior written consent of the parent/guardian. 20 U.S.C. §7908.
   d. Notification of their right to a hearing to challenge any entry in the school student records (except for academic grades) and Official Records Custodian's name and contact information. 23 Ill.Admin.Code §375.90.
   e. Upon a student's graduation, transfer, or permanent withdrawal, notification to the parents/guardians, and if the student is in the legal custody of DCFS, DCFS' Office of Education and Transition Services, of the destruction schedule for the student's permanent and temporary school student records and of their right to request a copy. Notice to parents/guardians or the student may be provided through: (1) the school's parent or student handbook, (2) publication in a newspaper published in the District or, if no newspaper is published in the District, in a newspaper of general circulation within the district, (3) U.S. mail delivered to the last known address of the parent/guardian or student, or (4) other means provided notice is confirmed to have been received, e.g., hand delivery, return receipt, or read receipt email. 105 ILCS 10/4(h), amended by P.A. 102-199; 23 Ill.Admin.Code §375.40(c). [131]
7. Takes all action necessary to ensure that school personnel are informed of the provisions of the School Student Records Act. 105 ILCS 10/3(c).
8. Performs all actions required of the District described in this procedure and the laws governing school student records.

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[131] 105 ILCS 10/4(h), amended by P.A. 101-161 and 102-199, requires notice of destruction of student records also be given to DCFS when a student is in its legal custody; however, the law does not specify how that notice is to be delivered to DCFS. A district may wish to rely on item #4 in paragraph e of this list so it has evidence the notice was received.

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The Building Principal may delegate any of these duties to an appropriate staff member but shall remain responsible for the duties' execution.

E. Maintenance of School Student Records 105 ILCS 10/2; 23 Ill.Admin.Code §375.10.

The District maintains two types of school records for each student: a *permanent* record and a *temporary* record.

The *student permanent record* shall consist of the following:

1. Basic identifying information, including the student's name and address, birth date and place, gender, and the names and addresses of the student's parent(s)/guardian(s).
2. Evidence required by the Missing Children Records Act. 325 ILCS 50/5(b)(1).
3. Academic transcripts, including: grades, graduation date, and grade level achieved; as applicable, and if allowed by District policy, scores received on college entrance examinations if that inclusion is requested in writing by an eligible student or the student's parent/guardian[132]; the unique student identifier assigned and used by ISBE's Student Information System (23 Ill.Admin.Code §1.75); as applicable, designation of an Advanced Placement computer science course as a mathematics-based, quantitative course for purposes of meeting State graduation requirements set forth in 105 ILCS 5/27-22; as applicable, designation of the student's achievement of the State Seal of Biliteracy, awarded in accordance with 105 ILCS 5/2-3.159 and 23 Ill.Admin.Code Part 680; as applicable, designation of the student's achievement of the State Commendation Toward Biliteracy, awarded in accordance with 23 Ill.Admin.Code §680.20(c); and as applicable, designation of the student's achievement of the Global Scholar Certification, awarded in accordance with 105 ILCS 5/2-3.169, amended by P.A. 103-979, eff. 1-1-25, and 23 Ill.Admin.Code §1.443.
4. Attendance record.
5. Health record, defined by ISBE rule as "medical documentation necessary for enrollment and proof of having certain examinations, as may be required under Section 27-8.1 of the [School] Code."
6. Record of release of permanent record information that contains the information listed in Section I, **Record of Release**, below.
7. Scores received on all State assessment tests administered at the high school level (that is, grades 9 through 12). 105 ILCS 5/2-3.64a-5.

If not maintained in the temporary record, the *permanent record* may include:

1. Honors and awards received.
2. Information concerning participation in school-sponsored activities or athletics, or offices held in school-sponsored organizations.

No other information shall be placed in the permanent record.

The *student temporary record* contains all information not required to be kept in the student permanent record and must include:

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[132] 23 Ill.Admin.Code §375.10 provides that districts may, through board policy, allow scores received on college entrance examinations to be included on a student's academic transcript if that inclusion is requested in writing by a student, parent or person who enrolled the student. If board policy allows for the inclusion of such scores on academic transcripts, then the district's notification to parents/guardians and students of their school student records rights must include the process for requesting the inclusion. 23 Ill.Admin.Code §375.30(d)(5).

Note: Though 23 Ill.Admin.Code §375.10 uses the phrase "student, parent or person who enrolled the student," student records rights under ISSRA and FERPA attach to eligible students and their parents/guardians, not to "a person who enrolled the student" (though that person is typically a parent or guardian).

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1. Record of release of temporary record information that contains the information listed in Section I, **Record of Release**, below.
2. Scores received on the State assessment tests administered in the elementary grade levels (kindergarten through grade 8).
3. Completed home language survey. 23 Ill.Admin.Code §228.15(d).
4. Information regarding serious disciplinary infractions (that is, those involving drugs, weapons, or bodily harm to another) that resulted in expulsion, suspension, or the imposition of punishment or sanction.
5. Any final finding report received from DCFS provided to the school under the Abused and Neglected Child Reporting Act; no report other than what is required under Section 8.6 of that Act (325 ILCS 5/8.6) shall be placed in the student record. 23 Ill.Admin.Code §375.40(f).
6. Any biometric information that is collected in accordance with 105 ILCS 5/10-20.40.
7. Health-related information, defined by ISBE rule as "current documentation of a student's health information, not otherwise governed by the MHDDCA or other privacy laws, that includes identifying information, health history, results of mandated testing and screenings, medication dispensation records and logs, e.g., glucose readings, long-term medications administered during school hours, documentation regarding a student athlete's and his or her parents' acknowledgment of the District's concussion policy adopted under Section 22-80 of the [School] Code, and other health-related information that is relevant to school participation, e.g., nursing services plan, failed screenings, yearly sports physical exams, interim health histories for sports."
8. Accident report, defined by ISBE rule as "documentation of any reportable student accident that results in an injury to a student, occurring on the way to or from school or on school grounds, at a school athletic event or when a student is participating in a school program or school-sponsored activity or on a school bus and that is severe enough to cause the student not to be in attendance for one-half day or more or requires medical treatment other than first aid. The accident report shall include identifying information, nature of injury, days lost, cause of injury, location of accident, medical treatment given to the student at the time of the accident, or if the school nurse has referred the student for a medical evaluation, regardless of whether the parent or guardian, student (if 18 years or older), or an unaccompanied youth has followed through on that request."
9. Any documentation of a student's transfer, including records indicating the school or school district to which the student transferred. 23 Ill.Admin.Code §375.75(e).
10. Completed course substitution form for any student who, when under the age of 18, is enrolled in vocational and technical course as a substitute for a high school or graduation requirement. 105 ILCS 10/4; 23 Ill.Admin.Code §1.445.
11. Information contained in related service logs maintained by the District for a student with an individualized education program under 105 ILCS 5/14-8.02f(d), including for speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services.

The *temporary record* may also consist of:

1. Family background information
2. Intelligence test scores, group and individual
3. Aptitude test scores
4. Reports of psychological evaluations, including information on intelligence, personality, and academic information obtained through test administration, observation, or interviews

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5. Elementary and secondary achievement level test results
6. Participation in extracurricular activities, including any offices held in school-sponsored clubs or organizations
7. Honors and awards received
8. Teacher anecdotal records
9. Other disciplinary information
10. Special education records
11. Records associated with plans developed under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §701 et seq.)
12. Verified reports or information from non-educational persons, agencies, or organizations of clear relevance to the student's education

F. Retention and Destruction of School Student Records

The permanent record is maintained for at least 60 years after the student transfers, graduates, or permanently withdraws. 105 ILCS 10/4(e). The temporary record is maintained for at least five years after the student transfers, graduates, or permanently withdraws. 105 ILCS 10/4(f). Individuals adding information to a student's temporary record must include their name, signature, and position and the date the information was added. 105 ILCS 10/4(d). Temporary records that may be of assistance to a student with a disability who graduates or permanently withdraws, may, after five years, be transferred to the parent(s)/guardian(s) or to the eligible student. Appropriate District personnel shall explain to the student and the parent/guardian the future usefulness of these records. 23 Ill.Admin.Code §375.40(d). Be sure to provide notice of destruction of school student records pursuant to 105 ILCS 10/4(h), amended by P.A. 102-199, as noted in D(6)(e), above.

G. Social Security Numbers

School officials, with limited exceptions, may not require students or their parents/guardians to provide social security numbers. 5 ILCS 179/, Identity Protection Act. The collection and retention of social security numbers shall be in accordance with Board policy 4:15, *Identity Protection*.

H. Access to School Student Records

The phrase "access to a school student record" means any release or disclosure of information from a student's school record, whether or not any record is copied. Access in all cases is limited to the designated portion of the record to which the consent or statutory authority applies.

Neither the District nor any of its employees shall release, disclose, or grant access to information found in any school student record except under the conditions set forth in the Ill. School Student Records Act. 105 ILCS 10/6. Absent a court order, school officials do not provide educational records to the Immigration Customs Enforcement.

The Building Principal shall grant access to school student records as detailed below. The Building Principal shall consult with the Superintendent and, if authorized, the Board Attorney concerning any questions.

Access to Parent/Guardian, Eligible Student, or DCFS

1. A student's parent(s)/guardian(s) or eligible student, or designee, or DCFS' Office of Education and Transition Services, when a student is in the legal custody of DCFS, are entitled to inspect and copy information in the student's school record; a student less than 18 years old may inspect or copy information in his or her permanent school record. 105 ILCS 10/5. A request to inspect or copy school student records shall be made in writing and directed to the Building Principal. Access to the records

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shall be granted within 10 business days after the receipt of such a request. 105 ILCS 10/5(c). The District may extend this timeline by up to five additional business days if one or more of these six reasons applies:

a. The requested records are stored in whole or in part at other locations than the office having charge of the requested records;

b. The request required the collection of a substantial number of specified records;

c. The request is couched in categorical terms and requires an extensive search for the records responsive to it;

d. The requested records have not been located in the course of routine search and additional efforts are being made to locate them;

e. The request for records cannot be complied with by the school district within the time limits prescribed by subsection (c) without unduly burdening or interfering with the operations of the school district; or

f. There is a need for consultation, which shall be conducted with all practicable speed, with another public body or school district among two or more components of a public body or school district having a substantial interest in the determination or in the subject matter of the request.

105 ILCS 10/5(c-5).

The District and the person making the request may also agree in writing to extend the timeline for response. Id. The response to an access request for a special education student's records shall include those school student records located in the special education office.

2. The parent(s)/guardian(s), DCFS, if applicable, or the District may request a qualified professional to be present to interpret the student's records. 105 ILCS 10/5(b), amended by P.A. 102-199. If the District makes the request, it is responsible for securing and bearing the cost of the professional's presence.

3. Unless the District has actual notice of a court order or a notice of a *parenting plan* under the Ill. Marriage and Dissolution of Marriage Act, indicating otherwise:

   a. Divorced or separated parents/guardians with and without *parental responsibility* (formerly custody) are both permitted to inspect and copy the student's school student records. 750 ILCS 5/602.11.

   b. The Building Principal shall send copies of the documents listed below to both divorced or separated parents/guardians at either's request. 105 ILCS 5/10-21.8.

      i. Academic progress reports or records

      ii. Emotional and physical health reports

      iii. Notices of school-initiated parent-teacher conferences

      iv. School calendar regarding the student

      v. Notices about open houses, graduations, and other major school-sponsored events including student-parent/guardian interaction

4. The school will deny access to a student's school records to a parent against whom an *order of protection* (OP) was issued if the OP prohibits the parent from inspecting or obtaining such records pursuant to the Domestic Violence Act of 1986 or the Code of Criminal Procedure of 1963. See the Ill.

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Marriage and Dissolution of Marriage Act, 750 ILCS 5/602.11(a), and 750 ILCS 60/214(b)(15), and 222(f). Also see **Orders of Protection**, below. [133]

5. Parent(s)/guardian(s) or the student, or if applicable, DCFS' Office of Education and Transition Services, shall not be granted access to confidential letters and recommendations concerning the admission to a post-secondary educational institution, applications for employment or the receipt of an honor or award which were placed in the records prior to 1-1-75, provided such letters and statements are not used for purposes other than those for which they were specifically intended. Access shall not be granted to such letters and statements entered into the record at any time if the student has waived his or her right of access after being advised of his or her right to obtain the names of all persons making such confidential letters and statements. 105 ILCS 10/5(e), amended by P.A. 102-199.

Access With Consent of Parent/Guardian or Eligible Student

1. Access will be granted to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student, stating to whom the records may be released, the information or record to be released, and the reason for the release. 105 ILCS 10/6(a)(8); 23 Ill.Admin.Code §375.70(e). Whenever the District requests the consent to release records, the Building Principal shall inform the parent(s)/guardian(s) or eligible student in writing of the right to inspect, copy, and challenge their contents and to limit such consent to designated portions of the records. 105 ILCS 10/6(a)(8).
2. Access to any record that is protected by the MHDDCA, specifically that of a therapist, social worker, psychologist, nurse, agency, or hospital that was made in the course of providing mental health or developmental disabilities services to a student, will be granted according to the consent requirements contained in MHDDCA. 740 ILCS 110/4 and 5.

Access Without Notification to or Consent of Parent/Guardian or Eligible Student

1. District employees or officials of the ISBE will be granted access, without parental/guardian consent or notification, when a current, demonstrable, educational, or administrative need is shown. Access in such cases is limited to the satisfaction of that need. 105 ILCS 10/6(a)(2). Individual board members do not have a right to see student records merely by virtue of their office unless they have a current demonstrable educational or administrative interest in the student and seeing his or her record(s) would be in furtherance of the interest. 105 ILCS 10/6(a)(2).
2. Access will be granted, without parental/guardian consent or notification, to any person for the purpose of research, statistical reporting, or planning, provided that no student or parent/guardian can be identified from the information released, and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records. 105 ILCS 10/6(a)(4).
3. Access will be granted, without parental/guardian consent or notification, to another school district that overlaps attendance boundaries with the District, if the District has entered into an intergovernmental

[133] This may conflict with FERPA in that it restricts a parent/guardian's right to access his or her child's school records more than is expressly permitted by FERPA. 20 U.S.C. §1232g(a)(1)(A), (B); 34 C.F.R. §99.10(a). Contact the board attorney for guidance.

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agreement that allows for sharing of student records and information between them. 105 ILCS 10/6(a)(13), added by P.A. 102-557. [134]

4. The District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to or the consent of the student's parent(s)/guardian(s). 20 U.S.C. §1232(g)(j), as added by the Sec. 507 of the U.S.A. Patriot Act of 2001. An *ex parte* order is an order issued by a court of competent jurisdiction without notice to an adverse party.
5. A Serious Habitual Offender Comprehensive Action Program (SHOCAP) committee member will be granted access, but only to the extent that the release, transfer, disclosure, or dissemination is consistent with the Family Educational Rights and Privacy Act (FERPA). 105 ILCS 10/6(a)(10) allows disclosure to SHOCAP committee members who are "state and local officials and authorities" as those terms are used in FERPA. This federal law does not define "state and local officials and authorities;" rather, it limits when disclosure may be made to such officials and authorities.
6. Juvenile authorities will be granted access when necessary for the discharge of their official duties upon their request before the student's adjudication, provided they certify in writing that the information will not be disclosed to any other party except as provided under law or order of court. *Juvenile authorities* means: (a) a circuit court judge and court staff members designated by the judge; (b) parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys; (c) probation officers and court appointed advocates for the juvenile authorized by the judge hearing the case; (d) any individual, public or private agency having court-ordered custody of the child; (e) any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor; (f) any potential placement provider when such release is authorized by the court to determine the appropriateness of the potential placement; (g) law enforcement officers and prosecutors; (h) adult and juvenile prisoner review boards; (i) authorized military personnel; and (j) individuals authorized by court. 105 ILCS 10/6(a)(6.5).
7. Military recruiters and institutions of higher learning will be granted access to secondary students' names, addresses, and telephone listings, unless the student's parent/guardian submits a written request that such information not be released without the prior written consent of the parent/guardian or eligible student. Only this written consent process may be used, no other processes, such as an opt-in process, etc., may be used. Military recruiters and institutions of higher learning have access to students' names, addresses, and phone numbers even if the District does not release directory information. 20 U.S.C. §7908. For more information, see exhibits 7:340-AP1, E3, *Letter to Parents and Eligible Students Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information;* 7:340-AP1, E4, *Frequently Asked Questions Regarding Military Recruiters Access to Students and Student Information;* ISBE Military Recruitment Access Reminder, announced in State Superintendent Smith's *Weekly Message*, 11-27-18, at: www.isbe.net/Documents/Military-Access-Reminder.pdf. The requirements in this paragraph apply only if the District receives funds under the Elementary and Secondary Education Act. Id.

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[134] For elementary or high school districts only. Intergovernmental agreements must meet the following requirements: (1) the sharing must be voluntary and at the discretion of each district; (2) the sharing of student information only applies to students that have a) been enrolled in both districts or b) would have been enrolled in both districts based on attendance boundaries, provided the parent/guardian has confirmed in writing that the student intends to enroll or has enrolled in the high school district; and (3) the sharing of student information does not exceed the scope of information that is shared among schools in a unit district. 105 ILCS 10/6(a)(13), added by P.A. 102-557.

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8. DCFS' Office of Education and Transition Services will be granted access if the student is in the legal custody of DCFS. 105 ILCS 10/6(a)(12.5), added by P.A. 102-199 and renumbered by P.A. 102-813.

Access Without Consent of, but With Notification to, Parent/Guardian or Eligible Student

1. In accordance with the procedures described in Section L below (Transmission of Records for Transfer Students), access will be granted, without parental/guardian consent, to the official records custodian of another school within Illinois or an official with similar responsibilities of a school outside Illinois, in which the student has enrolled or intends to enroll, upon the request of such official or student. 105 ILCS 10/6(a)(3).
2. Access will be granted pursuant to a court order, provided that the parent(s)/guardian(s) shall be given prompt written notice of such order's terms, the nature and substance of the information proposed to be released, and an opportunity to inspect and copy such records and to challenge their contents. 105 ILCS 10/6(a)(5). Parents of students who are named in a court order or parenting plan shall be deemed to have received the required written notice. The Building Principal shall respond to the order no earlier than five school days after its receipt in order to afford parents/guardians the opportunity to review, inspect, and challenge the records if the parents choose to do so. 23 Ill.Admin.Code §375.70(d).

   For the purposes of these procedures, a court order is a document signed by a judge. A subpoena signed by a court clerk, an attorney, or an administrative agency official shall not be considered a court order unless signed by a judge. 23 Ill.Admin.Code §375.40(a).
3. Information may be released without parental consent, in connection with an articulable and significant threat to the health or safety of a student or other individuals, to appropriate persons if the knowledge of the requested information is necessary to protect the health or safety of the student or other individuals. The Building Principal shall make this decision taking into consideration the seriousness of the threat to the health or safety of the student or other individuals, the need for such records to meet the emergency, whether the persons to whom such records are released are in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency. 105 ILCS 10/6(a)(7); 23 Ill.Admin.Code §375.60. The Building Principal shall notify the parent(s)/guardian(s) or eligible student, no later than the next school day after the date that the information is released, of the date of the release, the person, agency, or organization to whom the release was made, and the purpose of the release.
4. The District will grant access as specifically required by federal or State statute, provided the individual complies with the requirements in 23 Ill.Admin.Code §375.70(b). 105 ILCS 10/6(a)(6). Prior to granting access, the Building Principal shall provide prompt written notice to the parent(s)/guardian(s) or eligible student of this intended action. 105 ILCS 10/6(b); 23 Ill.Admin.Code §375.70. This notification shall include a statement concerning the nature and substance of the records to be released and the right to inspect, copy, and challenge the contents. If the release relates to more than 25 students, a notice published in the newspaper is sufficient.

   The District charges $.35 per page for copying information from a student's records.[135] No parent/guardian or student shall be precluded from copying information because of financial hardship. 23 Ill.Admin.Code §375.50. **Note:** The ISBE rule allows a school to "charge the actual cost for providing a copy of school student records or any portion of such records to parents and students upon request for such copies, provided that such costs shall not exceed $.35 per page." 23 Ill.Admin.Code §375.50.

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[135] Districts may substitute the following alternative: "The District charges a fee for copying school student records that corresponds to the fee schedule for copies of records requested under the Freedom of Information Act."

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I. Record of Release

Except as provided below, a record of all releases of information from school student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. 105 ILCS 10/6(c). This record shall be maintained for the life of the school student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, Building Principal, or other authorized person. The record of release shall include each of the following:

1. The nature and substance of the information released;
2. The name and signature of the official records custodian releasing such information;
3. The name of the person requesting the information, in what capacity the request was made, and the purpose for the request;
4. The date of release; and
5. A copy of any consent to a release.

No record of a disclosure is maintained when records are disclosed according to the terms of an *ex parte* court order entered under 20 U.S.C. §1232g(j), *Investigation and prosecution of terrorism*. 20 U.S.C. §1232g(j)(4).

J. Orders of Protection

Upon receipt of a court OP that prohibits a Respondent's access to records, the Building Principal shall file it in the temporary record of a student who is the *protected person* under the OP. No information or records shall be released to the Respondent named in the OP. 750 ILCS 60/222(f).[136]

K. Parenting Plans

Upon receipt of a parenting plan under the Ill. Marriage and Dissolution of Marriage Act (750 ILCS 5/), the Building Principal shall file it in the temporary record of a student who is the subject of the parenting plan.

L. Transmission of Records for Transfer Students 105 ILCS 10/6(a)(3); 23 Ill.Admin.Code §§375.70 and 375.75.

The Building Principal shall:

1. Within 14 calendar days after enrolling a transfer student, request directly from the student's previous school a certified copy of the student's record. The District shall exercise due diligence in obtaining the copy of the record requested.
2. Upon the student's request or that of the official records custodian of another school in which the student has enrolled or intends to enroll, within 10 calendar days, transfer a certified copy of the student's record (that is, the student's permanent and temporary record) to the official records custodian of the appropriate school and retain the original records. The records transfer is subject to prior notice to the student's parent(s)/guardian(s) as described above in Section H (Access to School Student Records). See Board policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*.
3. Determine if the school or special education office has any record that is protected by the MHDDCA concerning the transferring student, specifically a record or report made by a therapist, social worker, psychologist, nurse, agency, or hospital that was made in the course of providing mental health or developmental disabilities services. If so, ask the appropriate person as identified in 740 ILCS 110/4

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[136] See f/n 6 above.

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whether to send the record protected by MHDDCA to the new school and, if *yes*, obtain a written consent for disclosure as provided in 740 ILCS 110/5.

This requirement does not apply to special education records and reports that are related to the identification, evaluation, or placement of, or the provision of a free and appropriate public education to, students with disabilities. 23 Ill.Admin.Code §375.10.

4. Provide the parent/guardian or eligible student prior written notice of the nature and substance of the information to be transferred and opportunity to inspect, copy, and challenge it. If the parent's/guardian's address is unknown, notice may be served upon the official records custodian of the requesting school for transmittal to the parent/guardian. This service is deemed conclusive, and 10 calendar days after this service, if the parents/guardians make no objection, the records may be transferred to the requesting school.
5. Destroy any biometric information collected and do not transfer it to another school district.
6. Refrain from transferring the records if a student's record has been flagged as a "missing child" as provided in Section 5 of the Missing Children Records Act and Section 5 of the Missing Children Registration Law. The District shall notify the Ill. State Police or the local law enforcement authority of the request.
7. Retain the original records in accordance with the requirements of 105 ILCS 10/4.
8. Include information about whether or not the student is *in good standing* and whether or not the student's medical records are up-to-date and complete. 105 ILCS 5/2-3.13a.
9. Maintain any documentation of the student's transfer, including records indicating the school or school district to which the student transferred, in that student's temporary record.

If the student has unpaid fines, fees, or tuition charged pursuant to 105 ILCS 5/10-20.12a and is transferring to a public school located in Illinois or any other state, the Building Principal shall, unless otherwise prohibited by State law (23 Ill.Admin.Code §375.75(i)): [137]

1. Transfer the student's *unofficial record of student grades* in lieu of the student's official transcript of scholastic records. The *unofficial record of student grades* means written information relative to the grade levels and subjects in which a student was enrolled and the record of academic grades achieved by that student prior to transfer. These records shall also include the school's name and address, the student's name, the name and title of the school official transmitting the records, and the transmittal date.
2. Within 10 calendar days after the student has paid all of his or her unpaid fines or fees and at this District's own expense, forward the student's official transcript of scholastic records to the student's new school.

The Building Principal shall include the following information with the transferred records if the student is transferring to another public school located in Illinois or any other state and at the time of the transfer is

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[137] Optional. 105 ILCS 5/10-20.9a(c) and (d), added by P.A. 102-727, and inoperative "on and after three years" from 5-6-22, prohibits public high schools from withholding a student's grades, transcripts, or diploma because of an unpaid balance on the student's school account. See sample policy 6:280, *Grading and Promotion*, at f/n 3, for a discussion about the expiration date of this law. Districts are also prohibited from withholding student records, transcripts, or diplomas because the student's parents are unable to pay required *fees*. 105 ILCS 5/28-19.2, amended by P.A. 102-805. See sample policy 4:140, *Waiver of Student Fees*, at f/n 1, for more information about the definition of *fees*. Fees, for example, do not include library fines, which could be reflected in a student's account. 23 Ill.Admin.Code §1.245(a)(2). These statutes refer generically to *transcripts*; they do not distinguish between *unofficial* and *official transcripts*. Consult the board attorney for advice on a district's ability to withhold official transcripts from students under 23 Ill.Admin.Code §375.75(i).

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currently serving a term of suspension or expulsion for any reason: 105 ILCS 5/2-3.13a; 23 Ill.Admin.Code §375.75(j).

1. The date and duration of the period of any current suspension or expulsion; and
2. Whether the suspension or expulsion is for: (a) knowingly possessing in a school building or on school grounds a weapon as defined in the Gun Free Schools Act (20 U.S.C. §7961 et seq.); (b) knowingly possessing, selling, or delivering in a school building or on school grounds a controlled substance or cannabis; or (c) battering a school staff member.

M. Directory Information[138] 23 Ill.Admin.Code §375.80

The District may release certain directory information regarding students as permitted by law, except that a student's parent(s)/guardian(s) may prohibit the release of the student's directory information. Directory information is limited to: [139]

1. Student's Name
2. Student's Address
3. Student's Grade level
4. Student's Birth date and place
5. Parent(s)/guardian(s)' names, addresses, electronic mail addresses, and telephone numbers
6. Photographs, videos, or digital images used for informational or news-related purposes (whether by a media outlet or by the school) of a student participating in school or school-sponsored activities, organizations, and athletics that have appeared in school publications, such as yearbooks, newspapers, or sporting or fine arts programs
7. Academic awards, degrees, and honors
8. Information in relation to school-sponsored activities, organizations, and athletics
9. Major field of study

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[138] Districts are not required to identify and release directory information. **Be sure that the board policy provides for the release of directory information before including this section.** See sample policy 7:340, *Student Records*. There has been at least one instance in Illinois in which parents were upset that their school district released students' names and addresses pursuant to a Freedom of Information Act (FOIA) request. FOIA contains an exemption for home addresses. Many lawyers, however, say that a district must release student information pursuant to a FOIA request when each of the following has occurred: the FOIA request seeks information that is included in the district's definition of student directory information, the district notified parents that it releases directory information, and the parents did not opt out of allowing directory information to be released concerning their child. An opinion from the Ill. Public Access Counselor (PAC) supports that a district may not rely on the FOIA exemption for home addresses. PAO 12-3.

Delete the specific types of information that the district does not want released, such as *address*, from the list of information designated as *directory information*. Realize, however, that if the information identified as directory information is too limited, the district may be prohibited from publishing information about specific students.

[139] 23 Ill.Admin.Code 375.80(a)(1) no longer includes *gender* as information which may be designated as directory information. This is consistent with attorneys' views that Illinois' past practice of including *gender* within directory information may have violated FERPA. FERPA regulations provide that directory information "means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed" and it "includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status, e.g., undergraduate or graduate, full-time or part-time; dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors, and awards received; and the most recent educational agency or institution attended." 34 C.F.R. §99.3. Though FERPA regulations do not explicitly preclude the designation of *gender* as directory information, U.S. Dept. of Educ. (DOE) guidance has consistently advised schools not to disclose a student's sex as directory information because it would be considered harmful or an invasion of privacy. See *Letter to Institutions of Postsecondary Education*, DOE Family Policy Compliance Office (Sept. 2009). Consult the board attorney about the practical implementation of this issue. Some attorneys, for example, believe photos of the "Girls Volleyball Team" may contradict DOE guidance.

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10. Period of attendance in school

No photograph highlighting individual faces shall be used for commercial purposes, including solicitation, advertising, promotion, or fundraising, without the prior, specific, dated, and written consent of the parent or eligible student (see 765 ILCS 1075/30). 23 Ill.Admin.Code §375.80. The following shall not be designated as directory information: (a) an image on a school security video, or (b) student social security number or student identification or unique student identifier. Id.

The notification to parents/guardians and students concerning school student records will inform them of their right to opt out of the release of directory information. See exhibit 7:340-AP1, E1, *Notice to Parents/Guardians and Students of Their Rights Concerning a Student's School Records*.

N. Student Record Challenges

Parents/guardians have the right to a hearing to challenge the accuracy, relevancy, or propriety of any entry in their student's school records, exclusive of academic grades and references to expulsions or out-of-school suspensions, if the challenge is made at the time the student's school student records are forwarded to another school to which the student is transferring. 105 ILCS 10/7; 23 Ill.Admin.Code §375.90. A request for a hearing should be submitted to the Superintendent and shall contain notice of the specific entry or entries to be challenged and the basis of the challenge. The following procedures apply to a challenge: Id.

1. The Superintendent or designee will invite the parent(s)/guardian(s) to an initial informal conference, within 15 school days of receipt of the request for a hearing.
2. If the challenge is not resolved by the informal conference, formal procedures shall be initiated. The Superintendent will appoint a hearing officer, who is not employed in the attendance center in which the student is enrolled.
3. The hearing officer will conduct a hearing within a reasonable time, but no later than 15 days after the informal conference, unless an extension of time is agreed upon by the parent(s)/guardian(s) and school officials. The hearing officer shall notify parents and school officials of the time and place of the hearing.
4. At the hearing, each party shall have the right to:
    a. Present evidence and to call witnesses;
    b. Cross-examine witnesses;
    c. Counsel;
    d. A written statement of any decision and the reasons therefore; and
    e. Appeal an adverse decision to an administrative tribunal or official to be established or designated by the State Board.
5. A verbatim record of the hearing shall be made by a tape recorder or a court reporter. A transcript may be prepared by either party in the event of an appeal of the hearing officer's decision. However, a transcript is not required in an appeal.
6. The written decision of the hearing officer shall, no later than 10 school days after the conclusion of the hearing, be transmitted to the parent(s)/guardian(s) and the School District. It shall be based solely on the information presented at the hearing and shall be one of the following:
    a. To retain the challenged contents of the school student record;
    b. To remove the challenged contents of the school student record; or
    c. To change, clarify, or add to the challenged contents of the school student record.
7. Any party has the right to appeal the decision of the local hearing officer to the Regional Superintendent or appropriate Intermediate Service Center Executive Director, within 20 school days after the decision

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is transmitted to the parties. The parent(s)/guardian(s), if they appeal, shall so inform the District and within 10 school days the school shall forward a transcript of the hearing, a copy of the record entry in question, and any other pertinent materials to the Regional Superintendent or appropriate Intermediate Service Center. The District may initiate an appeal by the same procedures.

8. The final decision of the Regional Superintendent or appropriate Intermediate Service Center Executive Director may be appealed to the circuit court of the county in which the District is located.
9. The parent(s)/guardian(s) may insert a written statement of reasonable length describing their position on disputed information. The District will include a copy of the statement in any release of the information in dispute. 105 ILCS 10/7(d).

LEGAL REF.: 20 U.S.C. §1232g, Family Education Rights and Privacy Act; 34 C.F.R. Part 99.
105 ILCS 10/, Illinois School Student Records Act; 23 Ill.Admin.Code Part 375.
740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.
750 ILCS 5/, Illinois Marriage and Dissolution of Marriage Act.

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Community Relations

Connection with the Community

Public Relations

The Board President is the official spokesperson for the School Board. The Superintendent is the District's chief spokesperson.[529] The Board, in collaboration with the Superintendent or designee, shall plan and implement a District public relations program that will: [530]

1. Develop community understanding of school operation.
2. Gather community attitudes and desires for the District.
3. Ensure adequate financial support for a sound educational program.
4. Help the community feel a more direct responsibility for the quality of education provided by their schools.
5. Earn the community's goodwill, respect, and trust.
6. Promote a genuine spirit of cooperation between the school and the community.
7. Keep the news media and community accurately informed.

The public relations program should include:

1. Regular news releases concerning District programs, policies, activities, and special event management for distribution by, for example, posting on the District website, using District social media accounts,[531] and/or sending to the news media.

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[529] In alignment with the IASB *Foundational Principles of Effective Governance*, the school board president is the board's spokesperson (see sample policy 2:110, *Qualifications, Term, and Duties of Board Officers*) and the superintendent is the district's spokesperson.

[530] These objectives are examples only and should be customized for each district. The board and superintendent should have a conversation regarding which objectives the board, superintendent, or both the board and superintendent together will implement. An alternative to the entire first subhead follows:

> The Board President is the official spokesperson for the School Board. The Superintendent is the District's chief spokesperson. The Board, in collaboration with the Superintendent or designee, shall plan and implement a District public relations program to keep the community informed and build support through open and authentic communications. The public relations program shall include, without limitation, media relations; internal communications; communications to the community; communications to students and parents/guardians; the District website and social media accounts; and other efforts to reach all audiences using suitable mediums.

[531] The U.S. Supreme Court case, Lindke v. Freed, 601 U.S. 187 (2024), held that a government official's speech on social media is attributable to the government if the official: (1) has actual authority to speak on behalf of the government on a particular matter; and (2) purports to exercise that authority when speaking on social media. If an official's speech on social media is attributable to the government, then the official's social media posts will be subject to scrutiny under the First Amendment. Social media accounts of government officials that are clearly labeled as personal (e.g., "This is the personal page of [insert name]") or with a disclaimer (e.g., "the views expressed are strictly my own") are presumed to contain only personal posts, though that presumption can be challenged depending on the particular facts. Id. The Court did not distinguish between elected or appointed government officials and employees, suggesting that the same test would apply to government employees.

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2. News conferences, interviews, and official Board or District statements, as requested or needed. The Board President and Superintendent will coordinate their respective media relations efforts. As official spokesperson for the Board, the Board President will communicate on behalf of the Board to the news media and community. Statements made by Board members when not authorized by the Board will be considered personal comments of the Board member, and Board members are encouraged to identify such statements as their personal opinions. Official Board or District statements (other than those made directly to the media) will be made through the District website and/or its social media accounts, at official District events, or through other official communication methods, such as District email or mailings. Individuals may speak for the District only with prior approval from the Superintendent. [532]
3. Publications having a high quality of editorial content and effective format. All publications shall identify the District, school, department, or classroom and shall include the name of the Superintendent, the Building Principal, and/or the author and the publication date.
4. Other efforts that highlight the District's programs and activities. [533]

Community Engagement [534]

Community engagement is a process that the Board uses to actively involve diverse citizens in dialogue, deliberation, and collaborative thinking around common interests for the District's schools. Effective community engagement is essential to create trust and support among the community, Board, Superintendent, and District staff. [535]

Because those who post on a district's social media accounts typically have authority to speak on the district's behalf, such accounts are likely either *limited public forums* (also referred to as *nonpublic forums*) or *public forums*. See, e.g., People for the Ethical Treatment of Animals v. Tabak, 2024 WL 3573661 (D.C. Cir. 2024)(finding the National Institutes of Health's (NIH) social media accounts were limited public forums because use of the accounts was limited to discussion of certain subjects; however, the NIH violated the First Amendment when it filtered out comments based on the plaintiff's viewpoints). Consider that school districts are different than federal government agencies and must ensure other duties to students, e.g., safety and security, which may require excluding certain comments from the district's social media accounts.

[532] See f/n 1, above. This item aligns with sample policy 2:110, *Qualifications, Term, and Duties of Board Officers*, and the board member oath of office in 105 ILCS 5/10-16.5, which requires board members to swear or affirm that they "shall recognize that a board member has no legal authority as an individual and that decisions can only be made by a majority vote at a public board meeting." Making official statements through the district's website and official social media accounts, rather than through personal or "mixed use" accounts is a best practice and a strategy to mitigate First Amendment liability for board members and employees who communicate through social media platforms. Additionally, it is a best practice for board members or employees with social media accounts to clearly label their personal accounts as personal and limit district-related communications to official district accounts. See the Lindke v. Freed case, discussed in f/n 3, above.

[533] Examples of such programs include senior citizens' brunches, realtors' luncheons, and building tours.

[534] This section is optional. A board that includes this subhead should complete the work necessary to develop and implement community engagement goals. For training resources, see www.iasb.com/conference-training-and-events/training/workshops/reflecting-on-communication-and-community-engageme/ and www.iasb.com/about-us/publications/journal/2022-illinois-school-board-journal/september-october-2022/engaging-with-the-community-%C2%A0a-time-to-reflect-and/.

The community engagement process differs from public relations (discussed in the **Public Relations** section, above) or public polling. Public relations push out information to the community. Public polling pulls information or opinions from the community. While most school districts understand how to push and pull information from their communities, the community engagement process is part of the two-way conversation for school boards that involves listening. Listening should not be limited only to the public comment period during board meetings. It is reaching out to the community and having conversations not only with parents but other community members, and then taking into consideration their thoughts and ideas as boards make their decisions. This method of listening must be purposeful for community engagement to work as intended.

[535] These statements are based on IASB's *Foundational Principles of Effective Governance*, principle #2, "The board connects with the community." The first sentence applies the definition of community engagement to a board and its school district. See www.iasb.com/conference-training-and-events/training/training-resources/foundational-principles-of-effective-governance/.

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The Board, in consultation with the Superintendent articulates the District's community engagement goals.

The Board will periodically: (1) review whether its community engagement goals(s) are achieving the identified purpose(s) and objective(s); (2) consider what, if any, modifications would improve effectiveness; and (3) determine whether to continue individual tactics.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers)

An alternative introductory sentence that repeats the definition of community engagement follows: "For purposes of this policy, community engagement is the process that school boards use to actively involve diverse citizens in dialogue, deliberation and collaborative thinking around common interests for their public schools."

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LA HARPE CSD 347

District Snapshot

District State

1

Schools

7%

Student Mobility

Summative Designation

- Exemplary Schools
- 1 Commendable Schools
- Targeted Schools
- Comprehensive Schools
- Intensive Schools

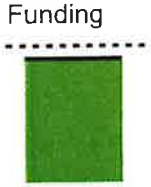
Growth IAR Cohort

FY24 School Finances

$17k District Avg Spending Per Student

Total District Expenditures: $3,686,943

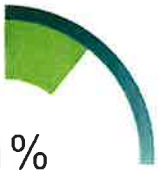
FY24 Evidence-Based Funding



$2.5M Adequacy Target

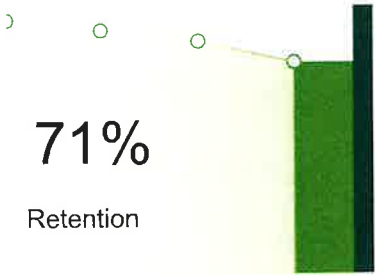
$2.3M EBF Final Resources

This district is at 92% of adequacy



11%

Chronic Absenteeism

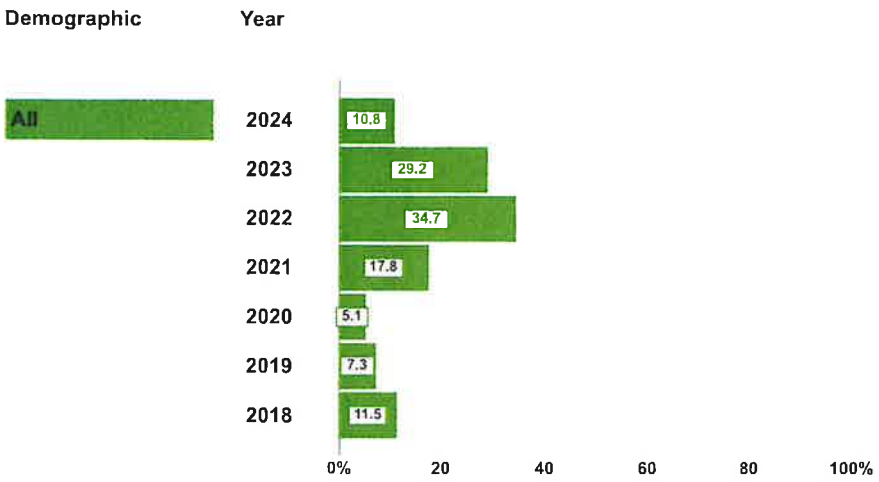


71%

Retention

This is the overall snapshot of LaHarpe.

Chronic Absenteeism: By Demographics

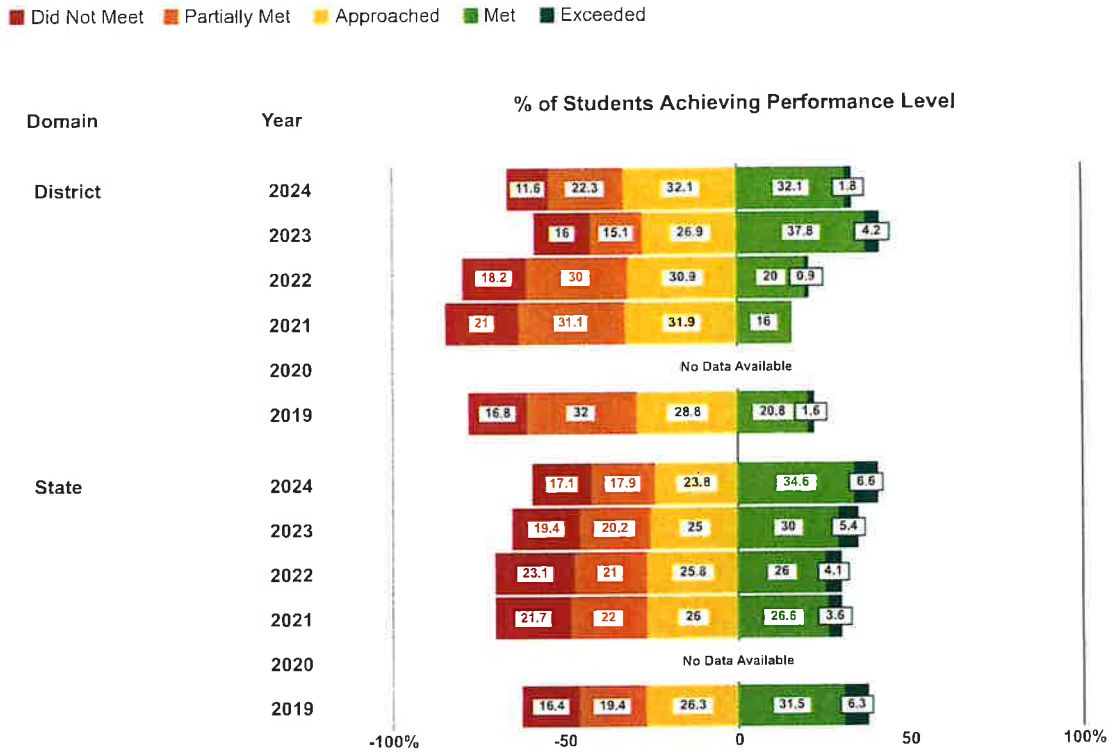


These are students that have missed 10% (17 days) of school without an excuse. Parents can excuse 5 days. After the 5 parent days, a doctor's note is Required. This is an Illinois law- not us.

This is a huge decrease!

LA HARPE CSD 347

IAR: Overall



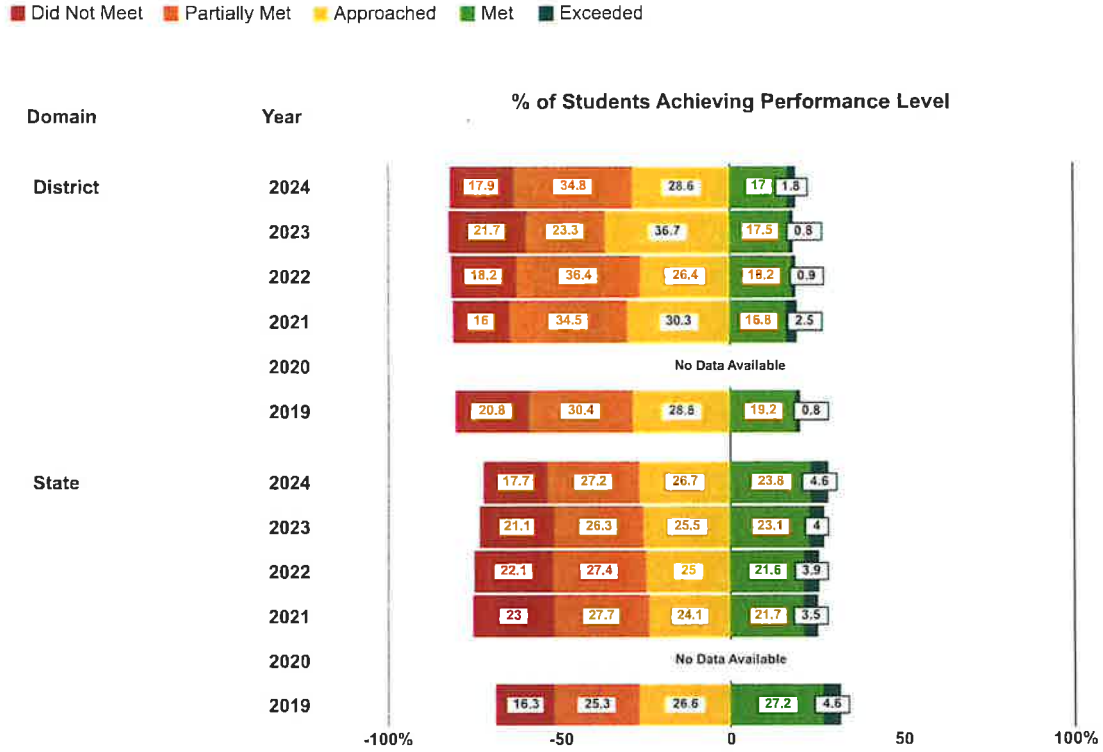
This includes grades 3-8 - English language arts.

The goal is to see less dark Red every year. Preference is to see more light / dark green each year.

Typically kids will move from Red to Orange - showing an increase in orange.

LA HARPE CSD 347

IAR: Overall



This is our overall - 3rd - 8th math scores.

The bottom section is the state average.

The Duty to Publicly Bid

- Except the following:
  - Contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with manufacturer or authorized service agent of that equipment where the provision of parts, maintenance or servicing can best be performed by the manufacturer or authorized service agent;
  - Purchases and contracts for the use, purchase, delivery, movement, or installation of **data processing** equipment, software, or services and telecommunications and interconnect equipment, software, and services;
  - Contracts for **duplicating machines** and supplies;
  - Contracts for the purchase of **fuel** including diesel, gasoline, oil, aviation, natural gas, or propane, lubricants, or other petroleum products;
  - Purchases of equipment **previously owned** by some entity other than the district itself;

The Duty to Publicly Bid

- Section 10-20.21 of *The School Code*, 105 ILCS 5/10-20.21, provides school districts with the authority:
  - To award **all** contracts for purchase of supplies, materials or work or contracts with private carriers for transportation of pupils involving expenditures in excess of **$35,000 (Effective 1/1/24) or a lower. amount as required by board policy** to the lowest responsible bidder considering conformity with specifications, terms of delivery, quality, and serviceability…

NEW BUS BID

BIDDING TO: LaHarpe CSD #347
FROM: Central States Bus Sales, Inc.
QUANTITY: One (1)

2026 BLUE BIRD, 71 PASSENGER CONVENTIONAL - GASOLINE

CHASSIS SPECIFICATIONS

273" Wheel Base
50,000 PSI Frame Rails
Ford/Roush 6.8L, V-10, 320 HP, Dual Overhead Cam
Gasoline Engine
Silicon hoses w/constant torque clamps
2020 Emissions
Air Intake Heater
Engine Alarm System-Low Oil
Pressure/High Temperature
750 Watt Engine Block Heater
Heavy Duty Dry Type Air Cleaner
Electromagnetic Fan Clutch
Single Aluminized Exhaust System
LH Side, Through Rear Bumper
12,000 lb. Hendrickson Front Axle
21,000 lb. Meritor Rear Axle
10,000 lb. Hendrickson "Softek" Front Springs
21,000 lb. Rear Springs
Front & Rear Shock Absorbers
Hydraulic Brakes Front and Rear With ABS
Severe Duty Meritor Heavy Duty Rotors
Heavy Duty Ford 6R140, 6-Speed Automatic
Transmission
Electronic Stability Control
240 Amp. Alternator
3 Group 31 Batteries: 3375 CCA
With On/Off Battery Disconnect
Quick-View Instrument Cluster
Full Instrumentation-Tachometer,
Fuel, Oil, Temp. And Voltmeter
Trip Meter, Engine Hour Meter, Ammeter
Power Steering
Tilt and Telescoping Steering Column
Column Dimmer Switch
Cruise Control
Fast Idle Switch
Fiberglass Tilt Hood
Fender Mounted Turn Signals
Standard Halogen Headlights
1/4 in. Heavy Duty Front Bumper
With License Plate Fasteners
Lifting Reinforced Rear Bumper
Front and Rear Tow Hooks
60 Gallon Fuel Tank With Barrier
Mounted Behind Rear Axle Between Frame Rails
Sender Inspection Plate
Spring Loaded Locking Fuel Fill Door
22.5" x 8.25 " Hub Piloted Disc Wheels
11R22.5 - 14 Ply Cooper Tires
M/S Rear, Hwy Front
Front and Rear Mud Flaps
Rear extensions
Rear Rubber Fenders
Intermittent Wipers with Wet Arms
Premium Undercoat
Entrance and RCED Vandal Locks
Insulated Driver's Firewall
Child Check Alarm with Instruction Sticker
Dash Glove Box
Mounted Driver's Trash Can
Driver's Cup Holder
AM/FM/USB/Mp3/SD/MMC/BT/PA with 8 Speakers
Silver Chassis Grille
Engine, Transmission, and Body Warranty (See Insert)
Title and Licensing

BODY SPECIFICATIONS

19 ¾" Skirt
77" Headroom with 12" Tinted Split Sash Windows
LH Entrance Grab Rail
RH Entrance Grab Rail
D.O.T. Approved Fully Padded Seats and
Barriers
FMVSS High Back Seat Frames
Brown, 52 Oz. Fire Rated Upholstery
Header Pads Above Entrance and
Emergency Doors
Adjustable High Back National 6 Way Adjustable
Driver's Seat with Shoulder Harness
and Fabric Insert
Aisle Side Arm Rest RH Location
Console Side Arm Rest with Storage LH Location
8 Light Warning System with
Solid State Controls
Automatic Electric Operated Dual Stop Arms
with L.E.D. Flashing Lights
Four (4) Shaded Windshield
Grip Handles and Cowl Steps for Cleaning Windshield
Four (4) Rub Rails Including Snow Rails and
Extended Seat Rails
Aluminized Inner Side Panel
Full Fiberglass Body Insulation
Full Acoustic Headliner
6 x 30 Interior Review Mirror
HEATED 9" x 17" CV Split System Rearview Mirrors
With Remote Control
HEATED Eye Max LP Dual Crossview Mirrors
Manual Operated Outward Opening Entrance Door with
Three Step, Galvanized Stepwell
Lower Rear Emergency Door Window
Emergency Door Retainer
Enclosed Battery Compartment
With Sliding Tray
Dual Row Dome Light Configuration. Switched Front and Rear
Driver's Dome Switched Separately
Three (3) Large Heaters
90,000 BTU Left Front
50,000 BTU Stepwell
80,000 BTU Rear
Driver's Floor Heater Grille
Two (2) 6" Defroster Fans
Two (2) Spheros Escape/Vent Hatches
Two (2) Emergency Exit Window on Each
Side of Bus
Armored Side Directional
L.E.D. Button Style Marker and Clearance Lights
L.E.D. Strobe Light
Body Solenoid Switch
Electric Operated Crossing Control Arm with Interrupt
Switch
Aluminum Aisle Trim
All Required Emergency Equipment
Including Body Fluid Kit
All Required Lettering
4" X 6" Certificate Holder
Interior Red L.E.D. Light Over RCED
White Roof
3M Diamond Grade Reflective School Bus Sign and
Perimeter Tape
Front and Rear Bulk Head Access Panels
5/8" Weather Treated Plywood Floor With Tan Rubber Finish
Storage Over Driver
Camera System, Installed

PURCHASE PRICE F.O.B. LAHARPE, IL $140,940.00/Each
Approximate Delivery: May 2025
Note: Price and Delivery are subject to chassis availability at time of sale.

NEW BUS BID

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750 Watt Engine Block Heater
Heavy Duty Dry Type Air Cleaner
Electromagnetic Fan Clutch
Single Aluminized Exhaust System
LH Side, Through Rear Bumper
12,000 lb. Hendrickson Front Axle
21,000 lb. Meritor Rear Axle
10,000 lb. Hendrickson "Softek" Front Springs
21,000 lb. Rear Springs
Front & Rear Shock Absorbers
Hydraulic Brakes Front and Rear With ABS
Severe Duty Meritor Heavy Duty Rotors
Heavy Duty Ford 6R140, 6-Speed Automatic
Transmission
Electronic Stability Control
240 Amp. Alternator
3 Group 31 Batteries: 3375 CCA
With On/Off Battery Disconnect
Quick-View Instrument Cluster
Full Instrumentation-Tachometer,
Fuel, Oil, Temp. And Voltmeter
Trip Meter, Engine Hour Meter, Ammeter
Power Steering
Tilt and Telescoping Steering Column
Column Dimmer Switch
Cruise Control
Fast Idle Switch
Fiberglass Tilt Hood
Fender Mounted Turn Signals
Standard Halogen Headlights
1/4 in. Heavy Duty Front Bumper
With License Plate Fasteners
Lifting Reinforced Rear Bumper
Front and Rear Tow Hooks
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Mounted Behind Rear Axle Between Frame Rails
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Front and Rear Mud Flaps
Rear extensions
Rear Rubber Fenders
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Insulated Driver's Firewall
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50,000 BTU Stepwell
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Driver's Floor Heater Grille
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Body Solenoid Switch
Electric Operated Crossing Control Arm with Interrupt
Switch
Aluminum Aisle Trim
All Required Emergency Equipment
Including Body Fluid Kit
All Required Lettering
4" X 6" Certificate Holder
Interior Red L.E.D. Light Over RCED
White Roof
3M Diamond Grade Reflective School Bus Sign and
Perimeter Tape
Front and Rear Bulk Head Access Panels
5/8" Weather Treated Plywood Floor With Tan Rubber Finish
Storage Over Driver
Camera System, Installed

PURCHASE PRICE F.O.B. LAHARPE, IL $134,500.00/Each
Approximate Delivery: May 2025
Note: Price and Delivery are subject to chassis availability at time of sale.

$138,000

RESOLUTION AUTHORIZING THE ABATEMENT OF WORKING CASH FUND

WHEREAS, the Board of Education (the "Board") of La Harpe Community School District No. 347 (the "District") has heretofore created and established a working cash fund in and for the District, pursuant to Article 20 of the Illinois School Code, 105 ILCS 5/20-1, *et seq.* (the "Fund"); and

WHEREAS, the Board is authorized by law to abate the Fund and direct the partial permanent transfer of moneys in that Fund to any fund or funds of the District most in need of the money, provided that the District maintains an amount to the credit of the Working Cash Fund, including taxes levied pursuant to Section 20-3 of the School Code and not yet collected and amounts transferred pursuant to Section 20-4 of the School Code and to be reimbursed to the Working Cash Fund, at least equal to 0.05% of the then current value, as equalized or assessed by the Department of Revenue, of the taxable property in the District; and

WHEREAS, the Board of Education hereby determines and finds that the Transportation Fund is the fund of the District most in need of the money; and

WHEREAS, the current balance of the Working Cash Fund, including any taxes levied but not yet collected, is One Hundred Seventy-Nine Ninety-One Thousand Dollars and ninety-five cents ($179,091.95); and

WHEREAS, the amount which has heretofore been transferred from the Working Cash Fund to another fund of the District pursuant to Section 20-4 of the School Code and which remain outstanding is Forty-One Thousand Ninety-One Dollars and ninety-five cents ($41,091.95); and

WHEREAS, an abatement of the Working Cash Fund and a transfer of One hundred Thirty-Eight Thousand Dollars and Zero Cents ($138,000.00) from that Fund to the Transportation

Fund will maintain an amount to the credit of the Working Cash Fund sufficient to meet the minimum requirement of the School Code; and

WHEREAS, the Board has determined and does hereby determine that it is necessary and in the best interests of the District that the Working Cash Fund be abated so that the sum of One Hundred Thirty-Eight Thousand Dollars and Zero cents ($138,000) be permanently transferred to the Transportation Fund;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Education of La Harpe Community School District No. 347 as follows:

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

Section 2. That the Working Cash Fund be abated, effective November 19, 2024, so that the sum of One Hundred Thirty-Eight Thousand Dollars and Zero Cents ($138,000.00) shall be permanently transferred to the Transportation Fund and may be used for such purposes as are allowable for the Transportation Fund.

Section 3. That, except as so abated, the Working Cash Fund shall continue to be used for the purposes for which it was created.

Section 4. That all resolutions or parts thereof in conflict herewith are hereby repealed and that this resolution shall be in effect forthwith upon its adoption.

ADOPTED this 19th day of November, 2024, by the following roll-call vote:

AYES: _____

NAYS: _____

ABSENT: _____

_____
President, Board of Education

ATTEST:

_____
Secretary, Board of Education

CERTIFICATION

I, _____, Secretary of the Board of Education of La Harpe Community School District No. 347, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Board of Education on November 19, 2024, by the following roll-call vote:

AYES:_____

NAYS:_____

ABSENT:_____,

and that the motion was duly declared carried by the President of the Board.

Dated this _____ day of _____, 2024.

_____

Secretary, Board of Education

$96,000

RESOLUTION AUTHORIZING THE ABATEMENT OF WORKING CASH FUND

WHEREAS, the Board of Education (the "Board") of La Harpe Community School District No. 347 (the "District") has heretofore created and established a working cash fund in and for the District, pursuant to Article 20 of the Illinois School Code, 105 ILCS 5/20-1, *et seq.* (the "Fund"); and

WHEREAS, the Board is authorized by law to abate the Fund and direct the partial permanent transfer of moneys in that Fund to any fund or funds of the District most in need of the money, provided that the District maintains an amount to the credit of the Working Cash Fund, including taxes levied pursuant to Section 20-3 of the School Code and not yet collected and amounts transferred pursuant to Section 20-4 of the School Code and to be reimbursed to the Working Cash Fund, at least equal to 0.05% of the then current value, as equalized or assessed by the Department of Revenue, of the taxable property in the District; and

WHEREAS, the Board of Education hereby determines and finds that the Transportation Fund is the fund of the District most in need of the money; and

WHEREAS, the current balance of the Working Cash Fund, including any taxes levied but not yet collected, is One Hundred Seventy-Nine Ninety-One Thousand Dollars and ninety-five cents ($179,091.95); and

WHEREAS, the amount which has heretofore been transferred from the Working Cash Fund to another fund of the District pursuant to Section 20-4 of the School Code and which remain outstanding is Eighty-Three Thousand Ninety-One Dollars and ninety-five cents ($83,091.95); and

WHEREAS, an abatement of the Working Cash Fund and a transfer of Ninety-Six Thousand Dollars and Zero Cents ($96,000.00) from that Fund to the Transportation Fund will

maintain an amount to the credit of the Working Cash Fund sufficient to meet the minimum requirement of the School Code; and

WHEREAS, the Board has determined and does hereby determine that it is necessary and in the best interests of the District that the Working Cash Fund be abated so that the sum of Ninety-Six Thousand Dollars and Zero cents ($96,000) be permanently transferred to the Transportation Fund;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Education of La Harpe Community School District No. 347 as follows:

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

Section 2. That the Working Cash Fund be abated, effective November 19, 2024, so that the sum of Ninety-Six Thousand Dollars and Zero Cents ($96,000.00) shall be permanently transferred to the Transportation Fund and may be used for such purposes as are allowable for the Transportation Fund.

Section 3. That, except as so abated, the Working Cash Fund shall continue to be used for the purposes for which it was created.

Section 4. That all resolutions or parts thereof in conflict herewith are hereby repealed and that this resolution shall be in effect forthwith upon its adoption.

ADOPTED this 19th day of November, 2024, by the following roll-call vote:

AYES: _____

NAYS: _____

ABSENT: _____

_____
President, Board of Education

ATTEST:

_____
Secretary, Board of Education

CERTIFICATION

I, _____, Secretary of the Board of Education of La Harpe Community School District No. 347, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Board of Education on November 19, 2024, by the following roll-call vote:

AYES: _____

NAYS: _____

ABSENT: _____,

and that the motion was duly declared carried by the President of the Board.

Dated this _____ day of _____, 2024.

_____

Secretary, Board of Education

$42,000

RESOLUTION AUTHORIZING THE ABATEMENT OF WORKING CASH FUND

WHEREAS, the Board of Education (the "Board") of La Harpe Community School District No. 347 (the "District") has heretofore created and established a working cash fund in and for the District, pursuant to Article 20 of the Illinois School Code, 105 ILCS 5/20-1, *et seq.* (the "Fund"); and

WHEREAS, the Board is authorized by law to abate the Fund and direct the partial permanent transfer of moneys in that Fund to any fund or funds of the District most in need of the money, provided that the District maintains an amount to the credit of the Working Cash Fund, including taxes levied pursuant to Section 20-3 of the School Code and not yet collected and amounts transferred pursuant to Section 20-4 of the School Code and to be reimbursed to the Working Cash Fund, at least equal to 0.05% of the then current value, as equalized or assessed by the Department of Revenue, of the taxable property in the District; and

WHEREAS, the Board of Education hereby determines and finds that the Transportation Fund is the fund of the District most in need of the money; and

WHEREAS, the current balance of the Working Cash Fund, including any taxes levied but not yet collected, is One Hundred Seventy-Nine Ninety-One Thousand Dollars and ninety-five cents ($179,091.95); and

WHEREAS, the amount which has heretofore been transferred from the Working Cash Fund to another fund of the District pursuant to Section 20-4 of the School Code and which remain outstanding is One-hundred thirty-seven ninety-one Dollars and ninety-five cents ($137,091.95); and

WHEREAS, an abatement of the Working Cash Fund and a transfer of Forty-Two Thousand Dollars and Zero Cents ($42,000.00) from that Fund to the Transportation Fund will

maintain an amount to the credit of the Working Cash Fund sufficient to meet the minimum requirement of the School Code; and

WHEREAS, the Board has determined and does hereby determine that it is necessary and in the best interests of the District that the Working Cash Fund be abated so that the sum of Forty-Two Thousand Dollars and Zero cents ($42,000) be permanently transferred to the Transportation Fund;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Education of La Harpe Community School District No. 347 as follows:

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

Section 2. That the Working Cash Fund be abated, effective November 19, 2024, so that the sum of Forty-Two Thousand Dollars and Zero Cents ($42,000.00) shall be permanently transferred to the Transportation Fund and may be used for such purposes as are allowable for the Transportation Fund.

Section 3. That, except as so abated, the Working Cash Fund shall continue to be used for the purposes for which it was created.

Section 4. That all resolutions or parts thereof in conflict herewith are hereby repealed and that this resolution shall be in effect forthwith upon its adoption.

ADOPTED this 19th day of November, 2024, by the following roll-call vote:

AYES:_____

NAYS:_____

ABSENT:_____

_____
President, Board of Education

ATTEST:

_____
Secretary, Board of Education

CERTIFICATION

I, _____, Secretary of the Board of Education of La Harpe Community School District No. 347, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Board of Education on November 19, 2024, by the following roll-call vote:

AYES:_____

NAYS:_____

ABSENT:_____,

and that the motion was duly declared carried by the President of the Board.

Dated this _____ day of _____, 2024.

_____

Secretary, Board of Education

Estimated Equalized Assessed Valuation (EAV) Growth

Tax Year	EAV	Growth Rate	Highest Growth Rate	Recommended Rate
2024	$71,395,548	6.04%	11.8%	6.04% - mean of all years
2023	$67,328,884	9.34%		
2022	$61,624,081	11.8%		
2021	$55,106,687	6.5%		
2020	$51,716,636	4.7%		
2019	$49,389,880	3.9%		
2018	$47,771,079	4.3%		
2017	$45,781,043	9.7%		
2016	$41,707,726	0		
2015	$41,707,276	1.99%		
2014	$40,894,375	5.06%		
2013	$38,923,579	9.2%		
2012	$35,631,364			

EAV Estimate for Levy Calculation

Last Year's EAV	EAV Growth Estimate	EAV Estimate
$67,328,884	6.04%	$71,395,548

Rate-Limited Fund Calculation

Fund	Rate Limit	Est. Tax Rate	EAV Estimate	Extension
Education	1.80	1.7509	$71,395,548	$1,250,050
Operation & Maintenance	0.50	0.4274		$305,180
Transportation	0.12	0.1056		$75,392
Working Cash	0.0500	0.0071		$5,063
Fire Prevention & Safety	0.0500	0.0001		$75.00
Special Education	0.0400	0.0322		$23,000
Leasing	0.0500	0.0179		$12,775
Total	**2.61**	**2.3412**		**$1,671,535**

Non-Rate-Limited Fund Calculations

Fund	Amount/Extension	EAV Estimate	Estimated Tax Rate
Tort	$194,000	$71,395,548	0.2717
IMRF	$82,680		0.1158
Social Security	$86,920		0.1217
Total	**$363,600**		**0.5092**

Truth-in-Taxation Calculation
Excludes Bond P & I

Last Year's Extension	$1,938,224.60
This Year's Requested Fixed Rate Extension	$1,671,535
This Year's Non Fixed Rate Extension	$363,600
Total Requested	$2,035,135.00
Percent Increase	4.99995
Truth in Taxation Necessary?	**No**

Calculating Debt Funds

Estimated EAV	$71,395,549	**Necessary Rate**
Total Bond P & I	**$216,103.20**	**0.3027**

Summary of Tax Rates (Hancock Rate Used)

Fund Type	Most Recent Year	Next Year Estimated	Change
Rate Limited	2.35105	2.3412	-0.00985/-0.04189%
Non-Rate-Limited	0.4843	0.5092	0.0249/5.14144%
Debt	0.32148	0.3027	-0.01878/-5.84173%
Overall Total	**3.15683**	**3.1531**	**0.00373 decrease** **0.11815% decrease**

2024 LEVY CALCULATION PAGE

Original Assumptions	
Consumer Price Index	3.40%
Actual Total EAV for 2023	$67,328,884
Estimated Existing EAV % change for 2024	6.04%
Estimated Existing EAV Value for 2024	$71,395,549
Estimated New Property for 2024	$0
Estimated Total EAV for 2024	**$71,395,549** *Includes New Property*
Estimated Total EAV % change for 2024	**6.04%** *Includes New Property*

Legend
District Assumptions & Data Entry
Calculated Values
Review Needed

	Prior Year Extension	Statutory Maximum Tax Rate	Individual Fund Estimated Maximum Extension	Individual Fund Estimated Maximum Extension	Levy Amount $	Levy Increase %	Final Levy Amount	Does Levy Amount Exceed Estimated Maximum Extension?
Educational	$1,116,888.64	1.80	$1,285,119.88	$1,285,119.88	$1,250,050		$1,250,050.00	NO
Operations & Maintenance	$304,595.37	0.50	$356,977.75	$356,977.75	$305,180		$305,180.00	NO
Transportation	$71,175.51	0.12	$85,674.66	$85,674.66	$75,392		$75,392.00	NO
Working Cash	$30,461.27	0.05	$35,697.77	$35,697.77	$5,063		$5,063.00	NO
Municipal Retirement	$73,061.61			Levy Amount $ Required	$82,680		$82,680.00	
Social Security	$63,539.63			Levy Amount $ Required	$86,920		$86,920.00	
Fire Prevention & Safety *	$30,466.69	0.05	$35,697.77	$35,697.77	$75		$75.00	NO
Tort Immunity	$194,462.43			Levy Amount $ Required	$194,000		$194,000.00	
Special Education	$24,124.53	0.04	$28,558.22	$28,558.22	$23,000		$23,000.00	NO
Leasing	$29,448.92	0.05	$35,697.77	$35,697.77	$12,775		$12,775.00	NO
	$0.00	0.00	$0.00	$0.00			$0.00	YES

Extension	**$1,938,224.60**	**$1,863,423.83**	
SEDOL IMRF Extension	$0.00	Estimated SEDOL IMRF Levy $0.00 *(Lake County Only, Included in Truth in Taxation Calculation)*	SEDOL IMRF Levy $0.00
Bond & Interest Extension	$223,682.12	Estimated Bond and Interest Levy $216,103.20 *(County Clerk Levies Bond & Interest for the District, Verify Records with County Clerk)*	Bond & Int. Levy $216,103.20 (-3.39%)
Total Extension	**$2,161,906.72**		Total Levy **$2,251,238.20** (4.13%)

Truth in Taxation

District Levy	**$2,035,135.00**	5.00%	NO
Levy Amount Above Estimated Extension	N/A		

2024 TAX EXTENSION WORKSHEET

	Original Assumptions
Estimated % Change to Existing EAV for 2024	6.04%
Estimated New Property for 2024	$0
Estimated Total EAV for 2024	$71,395,549
Estimated Total EAV Change for 2024	6.04%

Legend

District Assumptions & Data Entry
Calculated Values
Review Needed

	Scenario Assumptions	
Actual % Change to Existing EAV for 2024	6.04%	*Enter What If...? Existing EAV Assumption or, Final Actual to Stress Test the Levy*
Actual New Property for 2024	$0	*Enter What If...? New Property Assumption or, Final Actual to Stress Test the Levy*
Actual Total EAV for 2024	$71,395,549	
Actual Total EAV Change for 2024	6.04%	
		Does This Levy Capture All Available Property Taxes Under These Assumptions?
Amount Below Available Extension		**NO - Levy Increase Needed to Capture All Available Property Taxes**

	Current Levy Amount	County Loss %	Total Levy with County Loss %	Scenario Calculated Tax Rate	Maximum Extension Factor	Scenario Calculated Maximum Extension	Scenario Calculated Extension	Final Tax Rate	Spring Extension Adjustment Between Funds	Final Adjusted Extension	Final Adjusted Tax Rate
Educational	$1,250,050	0.00%	$1,250,050	1.8000	1.8000	$1,285,119.87	$1,250,050.00	1.7509	$0.00	$1,250,050.00	1.7509
Operations & Maintenance	$305,180	0.00%	$305,180	0.4274	0.5000	$356,977.74	$305,180.00	0.4274	$0.00	$305,180.00	0.4274
Transportation	$75,392	0.00%	$75,392	0.1056	0.1200	$85,674.66	$75,392.00	0.1056	$0.00	$75,392.00	0.1056
Working Cash	$5,063	0.00%	$5,063	0.0071	0.0500	$35,697.77	$5,063.00	0.0071	$0.00	$5,063.00	0.0071
Municipal Retirement	$82,680	0.00%	$82,680	0.1158	Levy	$82,680.00	$82,680.00	0.1158	$0.00	$82,680.00	0.1158
Social Security	$86,920	0.00%	$86,920	0.1217	Levy	$86,920.00	$86,920.00	0.1217	$0.00	$86,920.00	0.1217
Fire Prevention & Safety *	$75	0.00%	$75	0.0001	0.0500	$35,697.77	$75.00	0.0001	$0.00	$75.00	0.0001
Tort Immunity	$194,000	0.00%	$194,000	0.2717	Levy	$194,000.00	$194,000.00	0.2717	$0.00	$194,000.00	0.2717
Special Education	$23,000	0.00%	$23,000	0.0322	0.0400	$28,558.22	$23,000.00	0.0322	$0.00	$23,000.00	0.0322
Leasing	$12,775	0.00%	$12,775	0.0179	0.0500	$35,697.77	$12,775.00	0.0179	$0.00	$12,775.00	0.0179
	$0	0.00%	$0	0.0000	0.0000	$0.00	$0.00	0.0000	$0.00	$0.00	0.0000

Levy/Extension/Rate	$2,035,135	$2,035,135	2.8996	2.6100	$2,227,023.82	$2,035,135.00	2.8505	$0.00	$2,035,135.00	2.8505
SEDOL IMRF Levy	$0	Actual SEDOL IMRF Extension/Rate					0.0000	*Lake County Only*		0.0000
Bond & Interest Levy	$216,103	Actual Bond & Interest Extension/Rate				$216,103.00	0.3027	*Includes Loss % Added by County Clerk(s)*		0.3027
Total Levy	$2,251,238	Actual Total Extension/Rate				$2,251,238	3.1532			3.1532

Original: [x]
Amended: [ ]

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

CERTIFICATE OF TAX LEVY

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

District Name	District Number	County
La Harpe Community School District	347	Hancock, Henderson, McDonough

Amount of Levy

Educational	$ 1,250,050	**Fire Prevention & Safety ***	$ 75
Operations & Maintenance	$ 305,180	**Tort Immunity**	$ 194,000
Transportation	$ 75,392	**Special Education**	$ 23,000
Working Cash	$ 5,063	**Leasing**	$ 12,775
Municipal Retirement	$ 82,680		$ 0
Social Security	$ 86,920	**Other**	$ 0
		Total Levy	$ 2,035,135

* Includes Fire Prevention, Safety, Energy Conservation, Disabled Accessibility, School Security, and Specified Repair Purposes.

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

We hereby certify that we require:

the sum of 1,250,050 dollars to be levied as a special tax for educational purposes; and
the sum of 305,180 dollars to be levied as a special tax for operations and maintenance purposes; and
the sum of 75,392 dollars to be levied as a special tax for transportation purposes; and
the sum of 5,063 dollars to be levied as a special tax for a working cash fund; and
the sum of 82,680 dollars to be levied as a special tax for municipal retirement purposes; and
the sum of 86,920 dollars to be levied as a special tax for social security purposes; and
the sum of 75 dollars to be levied as a special tax for fire prevention, safety, energy conservation, disabled accessibility, school security and specified repair purposes; and
the sum of 194,000 dollars to be levied as a special tax for tort immunity purposes; and
the sum of 23,000 dollars to be levied as a special tax for special education purposes; and
the sum of 12,775 dollars to be levied as a special tax for leasing of educational facilities or computer technology or both, and temporary relocation expense purposes; and
the sum of 0 dollars to be levied as a special tax for _____; and
the sum of 0 dollars to be levied as a special tax for _____
on the taxable property of our school district for the year 2024

Signed this [Day] day of [Month] 2024.

_____
(President)

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

When any school is authorized to issue bonds, the school board shall file a certified copy of the resolution in the office of the county clerk of each county in which the district is situated to provide for the issuance of the bonds and to levy a tax to pay for them. The county clerk shall extend the tax for bonds and interest as set forth in the certified copy of the resolution, each year during the life of the bond issue. Therefore to avoid a possible duplication of tax levies, the school board should not include a levy for bonds and interest in the district's annual tax levy.

Number of bond issues of said school district that have not been paid in full 1.

(Detach and Return to School District)

This is to certify that the Certificate of Tax Levy for School District No. 347, cock, Henderson, McDon County, Illinois, on the equalized assesed value of all taxable property of said school district for the year 2024 was filed in the office of the County Clerk of this County on _____, 2024.
In addition to an extension of taxes authorized by levies made by the Board of Education (Directors), an additional extension(s) will be made, as authorized by resolution(s) on file in this office, to provide funds to retire bonds and pay interest thereon.
The total levy, as provided in the original resolution(s), for said purposes for the year 2024, is $ _____.

_____
(Signature of County Clerk)

_____
(Date)

_____
(County)

Truth in Taxation

Certificate of Compliance

I, the undersigned, hereby certify that I am the presiding officer of La Harpe Community School District #347 and as such presiding officer, I certify that the levy ordinance, a copy of which is attached, was adopted pursuant to, and in all respects in compliance with, the provisions Section 18-60 through 18-85 of the "Truth in Taxation" La.

CHECK ON OF THE FOLLOWING CHOICES BELOW:

_____ 1. The taxing district published a notice in the newspaper and conducted a hearing, meeting the requirements for the Truth in Taxation Law.

__X__ 2. The taxing district's aggregate levy did not exceed a 5% increase of the prior year's extension. Therefore, a notice and hearing were not necessary.

_____ 3. The proposed aggregate levy did not exceed a 5% increase over the prior year's extension. Therefore, a hearing was not held. The adopted aggregate tax levy excess 5% of the prior year's extension and a notice was published within 15 days of its adoption in accordance with the Truth in Taxation Law.

_____ 4. The adopted levy exceeded the amount stated in the published notice. A second notice was published within 15 days of the adoption in accordance with the Truth in Taxation Law.

This certificate applies to the 2023 levy.

Date: 19 November 2024

Presiding Officer: _____