

BOARD OF EDUCATION POLICIES

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BOARD OF EDUCATION POLICIES

400.1 GENERAL STAFF ETHICS

Adopted: June 14, 1990

Reviewed: August 2015

An effective educational program requires the services of people of integrity, high ideals, and human understanding. To maintain and promote these essentials, all employees of School District 140 are expected to maintain high standards in their school relationships with students, parents and legal guardians, members of the public, and each other. Employees shall always strive to:

- A. Maintain just and courteous professional relationships with pupils, parents and legal guardians, staff members, and others.
- B. Maintain their own efficiency and knowledge of the developments in their fields of work.
- C. Transact any and all official business with the properly designated authorities of the school system.
- D. Establish friendly and intelligent cooperation between the community and the school system.
- E. Avoid and guard against improperly using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- F. Avoid malicious or unproductive criticism of other staff members and to make constructive criticism in a mannerly fashion directly to the appropriate administrator and, if necessary, to the Superintendent.
- G. Protect all school properties, equipment, and materials from misuse or damage.

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400.2 COMMUNICATION WITH THE BOARD OF EDUCATION

Adopted: June 14, 1990

Reviewed: August 2015

The Board of Education desires to maintain open channels of communication between itself and staff. The basic line of communication is through the Office of the Superintendent, as hereinafter described.

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400.2 COMMUNICATION WITH THE BOARD OF EDUCATION

400.2.1 FORMAL COMMENTS AND REPORTS FROM STAFF

Adopted: June 14, 1990

Reviewed: August 2015

Formal communications or reports to the Board of Education or any Board of Education committee from Building Principals, supervisors, teachers, or other staff members shall be submitted to the appropriate administrator as shown on the Organizational Chart for transmittal to the Office of the Superintendent.

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400.2 COMMUNICATION WITH THE BOARD OF EDUCATION

400.2.2 APPEALS

Adopted: June 14, 1990

Reviewed: August 2015

Any appeal from an administrative decision or practice which an employee desires to bring to the Board of Education shall be made known to the Superintendent and processed through the appropriate grievance procedure. The Superintendent shall establish administrative procedures for appeals which shall apply to those situations not covered by collective bargaining agreements or other specific policies of the Board of Education.

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400.2 COMMUNICATION WITH THE BOARD OF EDUCATION

400.2.3 BOARD OF EDUCATION COMMUNICATIONS TO STAFF

Adopted: June 14, 1990

Reviewed: August 2015

Official communications, policies, and directives from the Board of Education to employees will normally be communicated through the Superintendent. The Superintendent may employ all such media as are reasonable and appropriate to keep staff fully informed of the Board of Education's problems, concerns, and actions.

BOARD OF EDUCATION POLICIES

400.3 CERTIFICATED PERSONNEL

400.3.1 QUALIFICATION AND CERTIFICATION

Adopted: June 14, 1990

Reviewed: August 2015

All employees regularly required to be certified under the laws relating to certification shall be responsible for securing and maintaining valid Illinois certificates which legally qualify them for the duties for which they are assigned. Certificates must be placed on file in the Superintendent's office and must be accompanied by official transcript(s) of college credits. They shall possess such other qualifications as may be established for their respective positions by the Board of Education.

BOARD OF EDUCATION POLICIES

400.3 CERTIFICATED PERSONNEL

400.3.2 HIRING

Adopted: June 14, 1990

Reviewed: August 2015

The Board of Education employs all certified staff members. The employment of any certificated employee is not official until the contract is approved by the Board of Education and signed by the candidate. The Superintendent shall develop a recruitment administrative procedure. Candidates shall be evaluated and interviewed by appropriate School District administrators. The Superintendent and Building Principal shall recommend the best overall qualified candidates to the Board of Education for employment. The Board of Education believes that the quality of instruction is enhanced by a staff with a wide variation in educational preparation, background, and previous experience. Accordingly, effort will be made to maintain this variation in the staff and among other relevant factors the administration's recommendations for employment should reflect this belief. The Board of Education is an Equal Opportunity Employer.

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400.3 CERTIFICATED PERSONNEL

400.3.3 SALARY AND BENEFITS

Adopted: June 14, 1990

Reviewed: August 2015

The salary and benefits for those certified employees covered by the collective bargaining agreement between the Board of Education and the Teachers' Association shall be as set forth and provided for in the current agreement. The salary and benefits provided to all other certified employees shall be as provided from time to time by the Board of Education.

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400.3 CERTIFICATED PERSONNEL

400.3.4 ASSIGNMENTS AND TRANSFERS

Adopted: June 14, 1990

Reviewed: August 2015

Whereas, the basic consideration in the assignment of certificated personnel in School District 140 is the well-being of the program of instruction, the Superintendent shall assign and transfer staff as deemed appropriate to best serve the instructional needs of the School District.

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400.3 CERTIFICATED PERSONNEL

400.3.5 TIME SCHEDULES

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: August 2015*

Instructional personnel, librarians, guidance counselors, and other certificated personnel are required to be on duty in the school a minimum of seven hours each day, including lunch. The duty time for certified employees is delegated by the Building Principal of each school. Consequently, hours of certified employees in the building may vary, but all certified personnel work the same minimum number of hours each day. The Building Principal is charged with the responsibility of seeing that the minimum standard is met. Deviation from established hours can be approved only by the Superintendent or the Assistant Superintendent.

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400.3 CERTIFICATED PERSONNEL

400.3.6 WORK LOAD

Adopted: June 14, 1990

Reviewed: August 2015

The Board of Education reserves to itself the determination of class size and work loads. However, the Board of Education recognizes that a teacher's primary duty is to teach, and reasonable effort shall be made to confine teachers' activities to this primary responsibility. Therefore, the Superintendent shall strive to equalize the teaching load.

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400.3.7 VISITATIONS AND CONFERENCES

Adopted: June 14, 1990

Reviewed: August 2015

Certified employees authorized by the Superintendent to represent the school system at educational meetings and conferences and on Illinois State Department of Education committees will be allowed expenses and salary in conformance with administrative procedures approved by the Board of Education. Certified employees other than those selected as official representatives may be allowed by the Superintendent to attend recognized educational meetings and conferences with no loss of salary, but without allowance for expense.

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400.3 CERTIFICATED PERSONNEL

400.3.8 PERSONNEL FILES

Adopted: June 14, 1990

Reviewed: August 2015

Only one official personnel file will be kept for each certified employee. This official personnel file shall be located in the administrative offices of the School District.

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400.3 CERTIFICATED PERSONNEL

400.3.9 STAFF INVOLVEMENT IN DECISION-MAKING

Adopted: June 14, 1990

Reviewed: August 2015

The Board of Education encourages certified employees to participate in decisionmaking for the School District. To this end, the Superintendent is authorized to establish such committees, as necessary, to recommend policies and rules for the proper functioning of the School District. All certified employees are encouraged to assist in the formulation of recommended educational programs for the School District.

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400.3 CERTIFICATED PERSONNEL

400.3.10 STUDENT RELATIONS

Adopted: June 14, 1990

Reviewed: August 2015

Certified employees are expected to regard each student as an individual and to accord each the rights and respect due any individual. The role of a certified employees shall be seen, not solely as directors or controllers, but also as resource persons, aides, and guides in the learning processes. Certified employees shall provide for the fullest self-determination by each student in regard to his or her learning program, consistent with School District goals and proper discipline. Students are to be treated with courtesy and consideration. Neither insults nor sarcasm shall be used as a way of forcing compliance with requirements or expectations.

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400.3 CERTIFICATED PERSONNEL

400.3.11 EVALUATION

Adopted: June 14, 1990

Reviewed: August 2015

Certified employees shall be evaluated in accordance with the procedures of the School District's evaluation plan in effect from time to time in the School District. This plan is maintained in accordance with the requirements and provisions of Article 24A of The Illinois School Code.

BOARD OF EDUCATION POLICIES

400.3 CERTIFICATED PERSONNEL

400.3.12 SUSPENSION

Adopted: June 14, 1990

Reviewed: August 2015

I. INTRODUCTION

This policy is intended to clarify the Board of Education's and the Superintendent's power to discipline teachers or other certificated employees and protect the best interests of the School District through a means other than immediate discharge. Many authorities in the field of employer-employee relations have written that employers should have the authority to administer a range of discipline short of discharge. A 1980 decision by the Illinois Supreme Court, however, suggests that if a School District wishes to have the option of suspending teachers or other certificated employees as opposed to discharging them, a written suspension policy must be adopted by the Board of Education. In the absence of a written suspension policy, a Board of Education faced with poor work performance or misconduct by a teacher or other certificated employee often has few options, and often only one -- to discharge the teacher or other certificated employee.

This Board of Education feels that it is in the best interests of the School District, the students, and other employees for it to have methods other than dismissal to discipline teachers or other certificated employees for poor performance or acts of misconduct. The policy below was developed after a review of numerous case decisions, statutes, civil service codes, and municipal ordinances. It is designed both to alert teachers or other certificated employees as to the types of action which can lead to discipline and to afford teachers or other certificated employees with an opportunity to challenge suspensions.

Nothing contained in the policy limits the right of the Board of Education to dismiss or otherwise discipline, rather than first suspend, a teacher or other certificated employee for any act of misconduct or circumstance set forth below or to suspend a teacher or other certificated employee pending dismissal.

II. SHORT TERM SUSPENSION

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400.3.12 SUSPENSION

Adopted: June 14, 1990

Reviewed: August 2015

A teacher or other certificated employee guilty of misconduct (as defined below) may be suspended with or without pay by the Board of Education for a period of up to ten (10) school days for each incident of misconduct. In cases of emergency, the Superintendent may suspend a teacher or other certificated employee pending Board of Education review of the matter. Emergency suspension, however, cannot exceed three (3) school days. Emergencies are defined as situations where the continuing presence of a teacher or other certificated employee endangers the physical safety of employees, students, or other persons at school or at school-sponsored activities, endangers school property, or interferes with the educational process. The total number of days a teacher or other certificated employee can be suspended, including emergency suspensions by the Superintendent, is ten (10) school days for each incident of misconduct.

III. GROUNDS

Misconduct which can result in either dismissal, suspension, or other disciplinary action, includes, but is not limited to, the behavior described below:

A. The behavior set forth in this sub-section constitutes misconduct whether such behavior occurs on school premises, at school-sponsored activities, wherever located, or otherwise in the performance of his or her duties.

1. Use, possession, sale, delivery, or being under the influence of intoxicants, i.e., alcohol, drugs, or narcotics not medically prescribed and otherwise prohibited by law.
2. Insubordinate acts such as failing to follow directives from supervisors or failing to comply with district, state or federal rules and regulations, or statutory provisions governing the conduct of schools.
3. Neglect of duties, in whole or in part, such as the failure to perform or tardiness in performing school duties, as well as neglecting or unnecessarily delaying in the making of statistical or other reports required

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Adopted: June 14, 1990

Reviewed: August 2015

by school officers.

4. Unexcused absence from duties relating to the school program, including absence from required meetings.
5. Misrepresentation or withholding of information relevant to the conduct of the schools or the performance or discipline of students, teachers or other certificated employees, or other employees.
6. Action or failure to act when such results in endangering the physical safety of other persons or which endangers the property of the School District or others.
7. Verbal or physical abuse of employees, students, or parents or legal guardians of students, or verbal or physical abuse of other persons.
8. Failure to protect or account for school property.
9. Disruption of the orderly conduct of the schools.
10. Failure to supervise adequately students or activities.
11. Conduct or activities which are unbecoming a teacher or other certificated employee.
12. Willful failure to report an instance of suspected child abuse and/or neglect as required by the "Abused and Neglected Child Reporting Act".
13. Any ground or cause for dismissal stated in Section 10-22.4 of the Illinois School Code.

B. The behavior set forth in this sub-section constitutes misconduct without reference to where it occurs:

1. Use, possession, sale, delivery or being under the influence of narcotics or drugs not medically prescribed and otherwise prohibited by law.
2. Conduct or activity which is unbecoming a teacher or other

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Adopted: June 14, 1990

Reviewed: August 2015

certificated employee or has a substantial adverse effect on any school program or on any student or employee of the school or which substantially diminishes the effectiveness of the teacher or other certificated employee in the performance of his or her duties.

IV. PRE-SUSPENSION PROCEDURES

Prior to the Board of Education (or the Superintendent in case of emergencies) suspending any teacher or other certificated employee, the Superintendent or his or her designee of the Board of Education, shall meet with the teacher or other certificated employee, explain the nature of the alleged misconduct, allow the employee to admit, deny, or explain the incident or conduct in question, and advise of the employee's right to appear in person before the Board of Education for review of any suspension. A written report of this meeting shall be prepared and forwarded to the Board of Education by the Superintendent or his or her designee. Upon review of the report, the Board of Education may suspend the teacher or other certificated employee or take whatever other disciplinary action it deems appropriate. If the employee is suspended by the Superintendent or the Board of Education, the employee, within a reasonable time of the suspension, shall be given a written notice advising of the suspension, setting the reasons therefore, the duration thereof, and the employee's right to appear in person before the Board of Education for review of the suspension.

V. POST-SUSPENSION PROCEDURES

Suspended teachers or other certificated employees may request a review of their suspension before the Board of Education. Requests for a review must be made in writing by personal service or by certified mail, return receipt requested, to the Superintendent, Secretary of the Board of Education, or President of the Board of Education, no later than five (5) school days after the beginning of the suspension.

If the teacher or other certificated employee requests a hearing before the Board

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Adopted: June 14, 1990

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of Education, the procedures which will usually be followed are set forth below. Departure from the procedures set forth below shall not, however, invalidate the suspension or the hearing.

The employee will be required first either to admit or deny the conduct charged.

- A. The employee may be represented by counsel.
- B. The hearing shall be informal and technical rules of evidence shall not be applicable.
- C. An employee shall have the right to cross-examine witnesses and to introduce evidence.
- D. A reasonable number of witnesses, as determined by the Board of Education, may be called by either the Superintendent or by the employee.
- E. Either party may record the proceedings at his or her own expense.
- F. The hearing shall be held in executive session.
- G. Absent good cause shown, the failure of an employee to request a review or to appear at a review, once requested, shall constitute a waiver of the right to a review.
- H. The Board of Education's decision shall be final.
- I. If the suspension is reversed, the employee shall be reimbursed for lost salary and any reference to the suspension shall be expunged from the employee's personnel file.

VI. **SUSPENSION IN EXCEPTIONAL CIRCUMSTANCES**

Circumstances involving a teacher or other certificated employee may arise on rare occasions which are largely indefinable, unforeseeable and unpredictable, but which substantially interfere with or reflect adversely on the educational process or place the certificated employee in a position that such employee is not an acceptable presence or influence within the educational system on a temporary basis. Such

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Adopted: June 14, 1990

Reviewed: August 2015

circumstances may include, but are not limited to, arrest or indictment for a felony, an infamous crime, a crime involving moral turpitude or other alleged misconduct so truly gross as to be infamous in nature.

In such event, the Board of Education may suspend such a teacher or other certificated employee with or without pay as the best interests of the School District may require for a period as may be required in the judgment of the Board of Education. Provided, however, the employee shall be restored to duty with the School District, shall receive all pay withheld as a result of the suspension, and shall have any references to the suspension expunged from the employee's personnel file, if:

- A. The employee, if indicted or arrested, is not convicted;
- B. It is determined by the Board of Education that the conduct of the teacher or other certificated employee does not warrant dismissal or suspension; and
- C. It is determined by the Board of Education that the employee was not at fault in the circumstances.

In addition, no such suspension or other proceedings shall be taken without extending all required due process rights to the teacher or other certificated employee in a timely manner.

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400.3 CERTIFICATED PERSONNEL

400.3.13 STUDENT TEACHERS

Adopted: June 14, 1990

Revised: March 20, 2014

Reviewed: August 2015

Contractual arrangements may be made with colleges or universities who supply student teachers and student teachers may be utilized as provided by the provision of The Illinois School Code. In this regard:

- A. The responsibilities of the school system shall be as follows:
 - 1. To assure that the cooperating teacher is qualified scholastically, educationally, and of proper character;
 - 2. To select the cooperating teachers from those who are genuinely interested and willing to cooperate with the program;
 - 3. To reserve the right to interview and otherwise screen applicants for practice teaching opportunities and to control the duration of the assignments agreed upon;
 - 4. To encourage student teacher visits in different levels of instruction early in his or her student teaching assignment;
 - 5. To assure that the cooperating teacher is responsible for all areas of instruction, grades, and communication. The cooperating teacher is responsible for classroom instruction and management; and
 - 6. To see that the student teacher is not used as a substitute teacher.
- B. The responsibilities of the college shall be as follows:
 - 1. To arrange placement procedures for each student teacher to the satisfaction of the school system; and
 - 2. To provide proper collegiate supervision for student teachers.
- C. The responsibilities of the student teacher shall be as follows:
 - 1. To maintain the same standards as the employed faculty; and
 - 2. To attend all professional meetings at the direction of the cooperating teachers and administrators.
 - 3. To take reasonable precautions to ensure the security, privacy and

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Adopted: June 14, 1990

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confidentiality of all students.

All student teachers must be interviewed and accepted by the Building Principal and cooperating teacher prior to beginning student teaching. The Superintendent or his or her designee will have final authorization regarding assignments of student teachers.

All student teachers must submit to a Criminal Background Investigation and execute any necessary forms for the Illinois Department of State Police to conduct the investigation in accordance with the general requirements applicable to all employees. The Superintendent may establish such further or additional administrative procedures as he or she may deem appropriate related to obtaining or using student teachers.

In accordance with the Illinois School Code, 105 ICLS 5/21B-30(f), the School District will allow student teachers to submit a Teacher Performance Assessment, which includes submitting examples of the student teacher's work in the classroom, including video clip(s) of their instruction, examples of student work, and planning assessment documentation, to their respective teacher preparation programs. In order to ensure the security and privacy of the students during the Teacher Performance Assessment (edTPA), the following shall apply:

- A. **Professionalism:** All student teachers engaging in the edTPA must act in a professional manner and comply with the instructions and policies of the cooperating teacher, administration, and District.
- B. **Confidentiality:** All student teachers engaging in the edTPA must at all times keep confidential the names and identities of persons and institutions appearing or referenced in the submitted material.
 - 1. Prior to submitting the edTPA assessment to his/her respective teacher preparation program, the student teacher must mask or remove all names and other personally identifiable information that could easily identify persons or institutions from all materials, including lesson plans. In

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Adopted: June 14, 1990

Revised: March 20, 2014

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all documents, the student teacher must use pseudonyms or general references (e.g. "the district") for the school, district, cooperating teacher and students.

2. Student teachers who are required to submit a video recording of their classroom instruction, pursuant to the edTPA, must treat as confidential any such video or audio recording made or obtained and only use such recording as required by the edTPA. All student teachers must remove or mask all names or other personally identifiable information that could identify persons or institutions in the recording prior to submission.

3. For purposes of this provision, personally identifiable information includes, but it not limited to, the student's name, the name of the student's parent or other family members, the address of the student or student's family, the student's social security number, student number, or biometric record, the student's date of birth, place of birth, and mother's maiden name, or any other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

C. **Permission:** All student teachers engaging in the edTPA must obtain parental or guardian consent prior to engaging in any video or audio recording or submitting materials containing a student's class work.

1. All student teachers participating in the edTPA must sign, distribute and obtain signed, written consent, using the "Teacher Performance Assessment (edTPA) – Release Form for Student Participation," from the parent or guardian of each and every student prior to submitting any

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Adopted: June 14, 1990

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material containing a student's class work.

2. All student teachers participating in the edTPA must sign, distribute and obtain signed, written consent, using the "Teacher Performance Assessment (edTPA) – Release Form for Student Participation," from the parent or guardian of each and every student prior to engaging in any video or audio recording.

3. All student teachers participating in the edTPA must provide copies of the completed "Teacher Performance Assessment (edTPA) – Release Form for Student Participation" to their cooperating teacher and administration.

4. All unsigned or unreturned forms will constitute a prohibition to record the student's image and voice on the video recording and use the student's class work in the student teacher's edTPA assessment.

D. **Video/Audio Recordings:** It is the responsibility of the student teacher to acquire a digital video recording camera. The use of personal cell phones for recording purposes is strictly prohibited.

E. **Prohibitions:** All student teachers are prohibited from sharing, posting or using the video or audio recording for any purpose other than to submit a video clip of the student teacher's instruction to the entity conducting the teacher performance assessment and/or the teacher preparation program. All student teachers are strictly prohibited from the following disclosures:

1. Uploading or sharing the video/audio recording online (e.g. YouTube) or in any public posting;
2. Showing the video to or sharing it with family, friends, or any other persons, institution or entity;
3. Using the video clip for the purposes of employment applications.

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Adopted: June 14, 1990

Revised: March 20, 2014

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F. **Destruction of Record/Recordings:** All student teachers must destroy any and all video and audio recordings once the student teacher's edTPA assessment has been evaluated and graded. All student teachers are prohibited from retaining a back up copy of and of the video or audio recording.

G. **Penalties:** Failure to abide by these terms may result in adverse action, up to and including termination of the student teacher's teaching assignment, termination from the program, or rejection of the candidate's application for licensure with the Illinois State Board of Education.

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400.3.14 SUBSTITUTE TEACHERS

Adopted: August 21, 2014

Reviewed: August 2015

The Superintendent may employ substitute teachers as necessary to replace teachers who are temporarily absent. A substitute teacher must hold either a valid teaching or substitute license and may teach in place of a certified teacher who is under contract with the Board. There is no limit on the number of days that a substitute teacher may teach in the District during the school year. However there is a limit on the number of days that a substitute teacher may teach for any one certified teacher under contract with the District in the same school year. The following limitations apply:

1. A substitute teacher holding a substitute certificate may teach only for a period not to exceed 90 school days.
2. A teacher holding a valid early childhood, elementary, high school, or special certificate may teach only for a period not to exceed 120 school days.

The Teachers' Retirement System (TRS) in Illinois limits a substitute teacher who is a TRS annuitant to substitute teaching for a period not to exceed 100 paid days or 500 paid hours in any school year, unless the subject area is one where the Regional Superintendent has certified that a personnel shortage exists.

The School Board establishes a daily rate of pay for substitute teachers. Substitute teachers receive only monetary compensation for time worked and no other benefits.

Emergency Situations. A substitute teacher may teach when no certified teacher is under contract with the Board if the District has an emergency situation as defined in State law. During an emergency situation, a substitute teacher is limited to 30 calendar days of employment per each vacant position. The Superintendent will notify the appropriate Regional Office of Education within 5 business days after the employment of a substitute teacher in an emergency situation.

Legal Reference(s):

105 ILCS 5/21-9, 5/21B-20(3) and 24-5

23 Ill. Admin. Code §1,790

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.1 GENERAL AND EMPLOYMENT AT WILL

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: August 2015*

The School District will provide in its budget sufficient monies to maintain adequate educational support personnel to efficiently operate the School District. The Board of Education shall maintain a list of the job categories of educational support personnel. The Superintendent will annually make recommendations to the Board of Education concerning the needs in these categories. The employment of all educational support personnel is subject to Board of Education approval. All educational support personnel are responsible to the Office of the Superintendent for the fulfillment of their responsibilities, as outlined in the Job Description Manual prepared by the Superintendent.

The Superintendent will bring to the Board of Education the names and salaries of all regularly employed educational support personnel for approval and ratification. Unless specifically provided to the contrary in an applicable collective bargaining agreement, all educational support personnel are employed at the will of the Board of Education. Nothing in these policies is intended to change that relationship or create any contractual rights for educational support personnel. Rather, the Board of Education reserves to itself the sole discretion to alter or eliminate benefits or procedures at any time. Upon employment, educational support personnel will serve a probationary period.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.2 QUALIFICATIONS AND DUTIES

*Adopted: June 14, 1990
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Persons employed must have sufficient skills to perform the duties outlined in the respective job descriptions. They must be capable of performing the job duties of the position, be dependable, and be able to follow directions.

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400.4.3 RECRUITMENT AND HIRING

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: August 2015*

The Superintendent or his or her designee shall take appropriate action to advertise for needed educational support personnel. The Board of Education is an equal opportunity employer. Applicants will be screened and interviewed in accordance with administrative procedures established by the Superintendent. Recommendations for employment will be made to the Board of Education by the Superintendent and Building Principal. The employment of any educational support employee is not official until approved by the Board of Education.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.4 DISMISSAL

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: August 2015*

The Superintendent shall recommend dismissal to the Board of Education of any educational support employee whose job performance is, after reasonable warning, unsatisfactory. If, in the judgment of the Superintendent, the continued employment of any educational support employee is detrimental to the School District, the Superintendent may immediately recommend dismissal to the Board of Education. Nothing herein shall abrogate any procedural rights the employee may have, if any, under any applicable collective bargaining agreement.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.5 WORKLOAD AND SCHEDULE

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: August 2015*

Except as may otherwise be provided in any collective bargaining agreement applicable to the employee, the Superintendent or his or her designee shall determine the work assignments, hours, and duties of all educational support personnel.

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400.4.6 SALARY AND BENEFITS

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: August 2015*

Except as may be otherwise provided in any collective bargaining agreement applicable to the employee, the salaries and benefits of educational support personnel shall be as from time to time determined by the Board of Education.

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400.4 EDUCATIONAL SUPPORT PERSONNEL

400.4.7 SUSPENSION

*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: August 2015*

I. INTRODUCTION

This policy is intended to clarify the Board of Education's and the Superintendent's power to discipline educational support personnel (hereinafter referred to as employees) and protect the best interests of the School District through a means other than immediate discharge. Many authorities in the field of employer-employee relations have written that employers should have the authority to administer a range of discipline short of discharge. In the absence of a written suspension policy, a Board of Education faced with poor work performance or misconduct by an employee often has few options, and often only one -- to discharge the employee.

This Board of Education feels that it is in the best interests of the School District and the employees for it to have methods other than dismissal to discipline employees for poor performance or acts of misconduct. The policy below was developed after a review of numerous case decisions, statutes, civil service codes, and municipal ordinances. It is designed both to alert employees as to the types of action which can lead to discipline and, except as otherwise provided below in this Section, to afford them the opportunity to challenge suspensions.

Nothing contained in the policy limits the rights of the School District to dismiss or otherwise discipline, rather than first suspend, an employee for any act of misconduct or circumstance set forth below or to suspend an employee pending dismissal.

II. SHORT TERM SUSPENSION

An employee guilty of misconduct (as defined below) may be suspended with or without pay by the Board of Education or the Superintendent for a period of up to ten (10) school days for each incident of misconduct.

In addition, in cases of emergency, the Superintendent, or his or her designee, may suspend the employee pending a review of the matter by either the Board of Education or the Superintendent. Emergency suspension, however, cannot exceed

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three (3) school days. Emergencies are defined as situations where the continuing presence of an employee endangers the physical safety of other employees (certified or non-certified), students, or other persons at school or at school-sponsored activities, endangers school property, or interferes with the educational process.

The total number of days an employee can be suspended, including emergency suspensions by the Superintendent, or his or her designee, is ten (10) school days for each incident of misconduct.

III. GROUNDS

Misconduct which can result in either dismissal, suspension, or other disciplinary action, includes, but is not limited to, the behavior described below.

The behavior set forth in this section constitutes misconduct without reference to where it occurs or when it occurs, on or off duty, unless specifically designated otherwise, provided, however, that any such off duty conduct subject to discipline hereunder must have an adverse effect on the School District or its programs, or on any other person employed by the School District, or must diminish the effectiveness of the employee in the performance of his or her duties:

- A. Fraud in securing employment.
- B. Incompetence in the performance of the duties of the position. The term "incompetence" shall mean a lack of ability, knowledge, or fitness to perform duties which are reasonable within the scope of employment.
- C. Inefficiency in the performance of the duties of the position. The term "inefficiency" shall mean performance of the duties of the position at a level lower than ordinarily expected of other employees in similar positions essentially as a consequence of either a lack of effort or improper motivation.
- D. Involvement in the sale, delivery, receipt, possession or use of any drug or narcotic substance not medically prescribed and otherwise prohibited by law.

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- E. Intoxication or being under the influence of, or the consumption of, alcohol while on duty.
- F. Insubordinate acts such as failing to follow directions from supervisors or failing to comply with School District, state or federal rules and regulations, or statutory provisions governing the conduct of schools.
- G. Neglect of duties, in whole or in part, such as the failure to perform or tardiness in reporting to or performing assigned duties.
- H. Fraudulent misrepresentation with regard to the request for or utilization of sick leave, personal business leave, or any other leaves of absence.
- I. Misrepresentation or withholding of information relevant to the conduct of the schools or the performance of other employees.
- J. Action or failure to act which endangers the physical safety of other persons or the property of the School District or others.
- K. Negligent or willful acts which cause damage to School District property or waste of School District supplies.
- L. Improper use of School District property or equipment.
- M. Use of offensive language, offensive conduct, or discourteous treatment to other School District employees (certified and non-certified employees) or members of the public where such person can reasonably believe that the employee is acting within the scope of his or her employment.
- N. Disruption of the orderly conduct of the schools.
- O. Such other conduct or activities which are unbecoming an employee.

III. PRE-SUSPENSION PROCEDURES

The Superintendent or the Board of Education may suspend the employee:

- A. Except as otherwise provided herein, if the Superintendent acts to suspend the employee, the Superintendent shall meet with the employee prior to

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the suspension (except in the case of emergency suspensions), explain the nature of the alleged misconduct, allow the employee to admit, deny, or explain the incident or conduct in question, and advise of the employee's right to appear in person before the Board of Education for review of any suspension. A written report of this meeting shall be prepared and forwarded to the Board of Education by the Superintendent or his or her designee. Upon review, the Board of Education may confirm, reverse, increase, or reduce the suspension by the Superintendent, or take whatever other disciplinary action it deems appropriate.

B. Except as otherwise provided herein, if the Board of Education acts to suspend the employee, the Superintendent or his or her designee of the Board of Education shall meet with the employee prior to the suspension for the purpose of discussing the alleged misconduct. A written report of this meeting shall be prepared and forwarded to the Board of Education by the Superintendent or his or her designee. Upon receipt of the report, the Board of Education shall hold a hearing to determine whether a suspension or other appropriate disciplinary action shall be taken. The employee will be notified of the time and place of this meeting and the reasons therefore. The employee may, at his or her option, appear at this hearing to respond to the charges. The procedure set forth in Paragraph IV-A, 1 through 7, below, shall usually be followed. Departure from the procedures set forth below shall not, however, invalidate the suspension or the hearing. The failure of an employee to appear at this hearing shall constitute a waiver of the right to a hearing. The Board of Education's decision in this matter shall be final.

IV. POST-SUSPENSION PROCEDURES

Except as otherwise provided hereinbelow, if the employee is suspended by the Superintendent, the employee, within a reasonable time of the suspension, shall be

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given a written notice advising of the suspension, stating the reasons therefore, the duration thereof, and the employee's right to appear in person before the Board of Education for review of the suspension.

Requests for such a review of any suspension must be made in writing by personal service or by certified mail, return receipt requested, to the Superintendent, Secretary of the Board of Education, or President of the Board of Education, no later than five (5) school days after the beginning of the suspension.

A. If the employee requests a hearing to review the suspension before the Board of Education, the procedures which will usually be followed are set forth below. Departure from the procedure set forth below shall not, however, invalidate the suspension or the hearing.

1. The employee will be required first either to admit or deny the conduct charged.
2. The employee may be represented by counsel.
3. The hearing shall be informal and technical rules of evidence shall not be applicable.
4. An employee shall have the right to cross-examine witnesses and to introduce evidence.
5. A reasonable number of witnesses, as determined by the Board of Education, may be called by either the Superintendent or by the employee.
6. Either party may record the proceedings at his or her own expense.
7. The hearing shall be held in executive session.
8. Absent good cause shown, the failure of an employee to request a review or to appear at a review, once requested, shall constitute a waiver of the right to a review.

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9. The Board of Education's decision shall be final.

10. If the suspension is reversed, the employee shall be reimbursed for lost salary and any reference to the suspension shall be expunged from the employee's personnel file.

V. SUSPENSION IN EXCEPTIONAL CIRCUMSTANCES

Circumstances involving an employee may arise on rare occasions which are largely indefinable, unforeseeable and unpredictable, but which substantially interfere with or reflect adversely on the educational process or place the employee in a position that such employee is not an acceptable presence or influence within the educational system on a temporary basis. Such circumstances may include, but are not limited to, arrest or indictment for a felony, an infamous crime, a crime involving moral turpitude or other alleged misconduct so truly gross as to be infamous in nature.

In such event, the Board of Education may suspend such an employee with or without pay as the best interests of the School District may require for a period as may be required in the judgment of the Board of Education. Provided, however, the employee shall be restored to duty with the School District, shall receive all pay withheld as a result of the suspension, and shall have any reference to the suspension expunged from the employee's personnel file, if:

- A. The employee, if indicted or arrested, is not convicted;
- B. It is determined by the Board of Education that the conduct of the employee does not warrant dismissal or suspension; and
- C. It is determined by the Board of Education that the employee was not at fault in the circumstances.

In addition, no suspension or other proceeding under this section shall be taken without extending all required due process rights to the employee in a timely manner.

VI. AT-WILL EMPLOYEES

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*Adopted: June 14, 1990
Revised: December 6, 2007
Reviewed: August 2015*

For all educational support personnel employees of this School District who are hired on an "at-will" basis and who receive a salary at an hourly (not monthly or annual) rate, the Superintendent may suspend such employee. The Superintendent or his or her designee shall meet with the employee prior to the suspension (except in the case of emergency suspension), explain the nature of the alleged misconduct, allow the employee to admit, deny, or explain the incident or conduct in question and advise the employee as to when the suspension decision will be made. Once such suspension decision is made, it will be communicated in writing to the employee. Such decision will be final. The Superintendent will inform the Board of Education of all suspensions of employees.

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400.5 GENERAL PERSONNEL POLICIES

400.5.1 CRIMINAL BACKGROUND INVESTIGATION

*Adopted: June 14, 1990
Revised: October 20, 2011
Reviewed: August 2015*

All applicants for employment with the School District are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if they have ever been convicted of any of certain offenses set forth in The Illinois School Code. Each applicant for employment shall furnish the School District a signed authorization to allow for such an investigation. Upon receipt of the authorization, the School District shall submit the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers as prescribed to the Illinois Department of State Police on the form prescribed by the Illinois Department of State Police. Additionally, a check of the Statewide Sex Offender Database and the Statewide Child Murderer and Violent Offender Against Youth Database will be performed.

Any information concerning the record of convictions obtained by the School District shall be confidential and may be made known only to the President of the Board of Education, the Superintendent of Schools or designee. A copy of any record of conviction obtained by the School District shall be given to the applicant. The School District shall not knowingly employ any person for whom a criminal history records check has not been initiated nor shall the School District knowingly employ a person who has been convicted for committing or attempting to commit any one or more of the offenses as described and set forth in Section 5/10-21.9 of The Illinois School Code. The School District shall not knowingly employ any person who has been convicted for committing or attempt to commit any offense in any other state or against the laws of the United States, which if committed or attempted in this state, would have been punishable as one or more of the offenses set forth in Section 5/10-21.9 of The Illinois School Code.

The provisions of this policy apply to all employees of firms holding contracts with the School District who have direct daily contact with the pupils of any school in the

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400.5.1 CRIMINAL BACKGROUND INVESTIGATION

*Adopted: June 14, 1990
Revised: October 20, 2011
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School District. In addition, this policy shall apply to any person who performs services for the School District and who is to have any recurring direct contact with the pupils of any school in the School District.

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400.5.1 CRIMINAL BACKGROUND INVESTIGATION

400.5.1.1 EVIDENCE OF PHYSICAL FITNESS

*Adopted: June 14, 1990
Revised: August 21, 2014
Reviewed: August 2015*

Subsequent to a conditional offer of employment, all new employees of the District must present evidence of physical fitness to perform the essential functions of the job, with or without reasonable accommodations, and freedom from communicable disease. This evidence shall consist of a physical examination made by a physician licensed to practice medicine and surgery in all its branches. Employment shall be conditioned upon the presentation of such evidence and the cost of examination shall rest with the employee.

The Superintendent may establish such administrative procedures as may from time to time be deemed appropriate to implement the provisions of this policy including the required components of physical examinations necessary for particular job classifications.

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400.5.2 HOSPITALIZATION INSURANCE

Adopted: June 14, 1990

Reviewed: August 2015

I. PRESENT EMPLOYEES

The Board of Education will make available a hospitalization insurance plan for all full-time employees. The amount contributed by the Board of Education and the coverage shall be established periodically by the Board of Education.

II. ON-LEAVE EMPLOYEES

Employees on approved leaves may, at their expense, continue in the Group Hospitalization Plan, so long as the insurance company writing such coverage or the plan rules and regulations continues to allow their participation. Participation in the Group Hospitalization Plan will be for the duration of approved leave. Checks from on-leave employees for their monthly coverage must be received in the School District administrative office no later than the fifth day of the month. Failure of the on-leave employee to forward payment by the due date shall result in that employee being dropped from the Group Hospitalization Plan.

III. RETIRING EMPLOYEES

A. Full-time employees who have been in continuous employment for ten (10) or more years may continue their existing coverage in the Group Hospitalization Plan, in accordance with the above established procedures for on-leave employees stated within this policy.

B. The Board of Education will, however, pay for the health insurance plan for those retired employees who have been employed in School District 140 for twenty (20) years or more, and have accumulated a minimum of one hundred eighty (180) sick leave days, on the same basis (up to a maximum of the same dollar amount) as paid immediately before retirement, but in no event shall the Board of Education contribute a sum greater than the amount contributed from time to time for current employees in the same category. Upon the death of the retiree, their spouse may continue in the Group Hospitalization Plan, as an

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400.5.2 HOSPITALIZATION INSURANCE

Adopted: June 14, 1990

Reviewed: August 2015

individual, only if they were previously covered in the retiree's Hospitalization Plan and in accordance with the above established procedures for on-leave employees. This item III-B shall only apply to personnel employed by the School District on or before the date on which this policy was adopted.

IV. TERMINATED EMPLOYEES

Terminated employees may, at their expense, and to the extent mandated by law, continue to participate in the School District's Group Hospitalization Plan in accordance with the provisions and requirements of law.

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400.5.3 JURY DUTY

Adopted: June 14, 1990

Revised: June 15, 2000

Reviewed: August 2015

Persons called for jury duty will provide the School District administrative office with a copy of the notice of jury summons and will incur no loss of pay during the period of duty.

Upon completion of jury duty services, a copy of the check (stipend) the employee receives must be sent to the School District administrative office as verification.

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400.5.4 SOLICITATION RULES

Adopted: June 14, 1990

Reviewed: August 2015

To better provide and assure an appropriate educational environment without undue interruption, the following rules apply to solicitation of employees or solicitation by employees:

- A. During working time, employees may not solicit participation in, or contributions to, activities not sponsored by the School District.
- B. During non-working time, employees may solicit participation in, or contributions to, activities not sponsored by the School District.
- C. Persons who are not employees of the School District may not solicit employees on school property during the work day, except for authorized agents of an exclusive bargaining representative who may, after notifying the office of the attendance center, meet with employees in the bargaining unit during the employees' non-duty time.
- D. For purposes of these rules, solicitation includes, but is not necessarily limited to, distribution of literature.
- E. Solicitation of any type may not take place in the presence of students.
- F. Failure to comply with these rules may result in disciplinary action.

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400.5.5 REPORTING CHILD ABUSE/NEGLECT

Adopted: June 14, 1990

Revised: August 21, 2014

Reviewed: August 2015

All employees of the School District who have reasonable cause to believe that a child known to them in their professional or official capacity may be an abused and/or neglected child shall immediately report or cause a report of such to be made to the Department of Children and Family Services (the Department) as required by law. Any employee who has reasonable cause to suspect that a child known to him or her in his or her professional capacity has died as a result of abuse and/or neglect shall immediately report his or her suspicion to the appropriate medical examiner or coroner.

The Superintendent shall establish administrative procedures for the reporting of suspected child abuse and/or neglect, which administrative procedures shall be made known to all School District employees who are required to report child abuse and/or neglect. The Superintendent shall also establish administrative procedures to ensure that employees who are required to report child abuse or neglect and who were hired after July 1, 1986, must complete mandated reporter training by an individual or agency with expertise in recognizing and reporting child abuse, upon employment and at least once every five years thereafter.

If 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 he or she is a board member is an abused child, the member shall direct the Superintendent or designee to comply with the requirements of the act and follow established administrative procedures for reporting.

Notwithstanding any other provision of the Act, if an employee of a school district has made a report or caused a report to be made to the Department, involving the conduct of a current or former employee of the school district, and a request is made by another school district for the provision of information concerning the job performance or qualifications of the current or former employee because he or she is an applicant for

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Adopted: June 14, 1990

Revised: August 21, 2014

Reviewed: August 2015

employment with the requesting school district, the Superintendent of the school district to which the request is being made, must disclose to the requesting school district the fact that an employee of the school district has made a report involving the conduct of the applicant or caused a report to be made, may be disclosed by the Superintendent of the district to which the request for information concerning the applicant has been made, and this fact may be disclosed only in cases where the employee and the Superintendent have not been informed by the Department that the allegations were unfounded. An employee of a school district who is or has been the subject of a report made pursuant to this Act during his or her employment with the school district, must be informed by the district, that if he or she applies for employment with another school district, the Superintendent of the former school district, upon the request of the school district to which the employee applies, shall notify that requesting district that the employee is or was the subject of such a report.

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400.5.6 EMPLOYEE INVOLVEMENT IN ANY NON-SCHOOL-SPONSORED STUDENT ACTIVITIES

Adopted: June 14, 1990

Reviewed: August 2015

Of those activities and programs which occur outside of the School District's regular academic curriculum, only those specifically designated or approved by the Board of Education or by the Superintendent of Schools as school-sponsored activities shall be considered to be school-sponsored. Any School District employee who supervises, organizes, or in any way participates in an activity involving School District students which has not been designated or approved as a school-sponsored activity shall give notice to the participants that the employee's involvement in no way makes the activity a school-sponsored one. The employee shall also send a written notice to the parents and legal guardians of those students participating in an activity which is not school-sponsored, advising the parents and legal guardians that such activity is not sponsored or approved by the School District. A copy of such notice must be delivered to the Superintendent.

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400.5.7 COMMUNICABLE DISEASES

Adopted: June 14, 1990

Reviewed: August 2015

The purpose of this policy is to address potentially severe community health problems and to balance the interest of an employee with a communicable disease in continuing to attend work and the interests of students and other employees not to be subjected to an unreasonable risk of contracting a communicable disease from the afflicted employee. For purposes of this policy, communicable diseases are Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV), Hepatitis and other diseases designated as communicable by the Illinois Department of Public Health in its Rules and Regulations for the Control of Communicable Diseases, as amended from time to time.

It is the general intention of the Board to handle each case of a communicable disease on a individualized basis. If the Superintendent has reason to believe that an employee has a communicable disease or if the employee reports his/her diagnosis to the building principal, the following steps shall be taken as soon as reasonably possible:

1. The Superintendent shall discuss the basis of that belief with the employee;
2. If the Superintendent believes that the employee may have a communicable disease after the conference with the employee, the Superintendent may remove the employee from work, or require a restricted work environment, without loss of pay or other benefits pending completion of a full medical review if such an exclusion has a medical basis. The review shall determine whether the employee has a communicable disease and, if so, whether the employee will be permitted to return to work and whether any modifications to the employee's job duties need to be made. The Superintendent's decision may be appealed to the School Board within ten (10) days. The appeal shall be processed as quickly as reasonably possible. The Superintendent's decision shall remain in effect during any appeal;

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Adopted: June 14, 1990

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3. The medical review shall be conducted in cooperation with the employee's physician, the school nurse and a physician selected, and paid for, by the District. It may include appropriate blood tests. The medical review shall be completed as quickly as reasonably possible;
4. Upon completion of the medical review, the Superintendent shall consult with the employee and his/her doctor to determine whether the employee may return to work and, if so, under what conditions.
5. If an employee with a communicable disease is permitted to return to work, the Superintendent shall take appropriate measures to minimize the risk of transmission of the virus to students and other staff;
6. The Superintendent shall regularly monitor the condition of any employee with a communicable disease to determine whether a change in his/her work setting is warranted;
7. The Superintendent may remove an employee with a communicable disease who has been permitted to return to work, after completion of a medical review, and if it is determined that the employee's condition poses a risk of transmission to student's or other staff;

The Superintendent may establish regulations to implement this policy, provide for the protection of the health of employees and students, and recognize any due process and special education interests of employees who may suffer from a communicable disease.

The use of sick leave and other benefits in connection with the communicable disease shall be permitted on the same basis as any other employee illness. The Superintendent will assure that an employee who reveals the fact that they have contracted a communicable disease will have his/her status safeguarded in accordance with federal and state statutes dealing with confidentiality and that the employee's civil

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400.5.7 COMMUNICABLE DISEASES

Adopted: June 14, 1990

Reviewed: August 2015

rights will be protected. Information about an employee who has, or is suspected of having, a communicable disease shall be communicated only to those persons authorized by the Building Principal or Superintendent, unless an emergency involving a risk of transmission of the disease reasonably requires disclosure for the protection of the employee or others.

EDUCATIONAL ACTIVITIES

The Superintendent shall periodically provide educational activities and information for employees with respect to communicable diseases, including hygienic practices for handling body fluids, such as blood, mucus, semen, and waste products.

ESTABLISHMENT OF ADMINISTRATIVE PROCEDURES

The Superintendent shall establish administrative procedures to implement this policy, provide for the protection of the health of employees and students, and recognize any due process and special interests of employees who have, or are suspected of having, a communicable disease.

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400.5.8 ATTENDANCE AT PROFESSIONAL MEETINGS

Adopted: June 14, 1990

Reviewed: August 2015

Employees shall be reimbursed for pre-approved attendance at conferences, workshops, or other professional activities related to their duties. The employee must submit an itemized verified expense voucher showing the amount of actual expenses with receipts attached where possible. The Superintendent shall establish administrative procedures for the approval of employee attendance and for the approval of requests for reimbursement.

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400.5.9 REQUIRED IN-DISTRICT TRAVEL

Adopted: June 14, 1990

Reviewed: August 2015

Employees who are required to travel within the boundaries of the School District in order to perform their job duties shall, in accordance with administrative procedures established by the Superintendent, be reimbursed for each mile traveled at the Internal Revenue Service rate in effect from time to time during each school term.

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400.5.10 LEAVES OF ABSENCE AND TEMPORARY ILLNESS

*Adopted: June 14, 1990
Reviewed: August 2015
Revised: September 22, 2016*

An employee desiring a leave of absence must present a written request to his or her supervisor, who will forward it to the Superintendent. The written request must contain the anticipated length of absence, with dates, and explain the circumstances that prompt the request. An approved leave of absence will not be extended beyond the date stated in the initial request without a further request and approval. For a leave of absence to be valid, it must be confirmed in writing by the Superintendent or his or her designee.

A Daily Building Absentee Report will be submitted by each Building Principal to the School District administrative office, listing all absent employees. These reports are to be forwarded at the close of each day so that they are received the following morning in the School District administrative office.

An employee returning from an absence for any reason, shall submit to the Superintendent's office a "Cause of Absence" form. This applies to absences of any duration (hour[s], day[s], etc.).

I. QUALIFYING LEAVE UNDER FAMILY AND MEDICAL LEAVE ACT

An employee who has been employed by the District for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave may use unpaid family and medical leave, guaranteed by the federal Family and Medical Leave Act ("FMLA"). An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period, beginning September 1 and ending August 31 of the next year. During a single 12-month period, an eligible employee's FMLA leave entitlement may be extended to a total of 26 weeks of unpaid leave to care for a covered servicemember (defined in the federal rules) with a serious injury or illness incurred in the line of active duty. The "single 12-month period" is measured forward from the date the employee's first FMLA

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*Adopted: June 14, 1990
Reviewed: August 2015
Revised: September 22, 2016*

leave to care for the covered service member begins. Any full workweek period during which the employee would not have been required to work, including summer break, winter break and spring break, is not counted against the employee's FMLA leave entitlement.

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

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

If spouses are employed by the District, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above.

If the need for the FMLA leave is foreseeable, an employee must provide the Superintendent or designee with at least 30 days' advance notice before the leave is to begin. If 30 days advance notice is not practicable, the notice must be given as soon as practicable. The employee shall provide at the minimum verbal notice sufficient to

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make the Superintendent or designee aware that he or she needs FMLA leave, and the anticipated timing and duration of the leave.

If the reasons for the leave qualify for leave under the FMLA, the Superintendent or designee shall designate such leave as FMLA leave and shall inform the employee of this designation and that the leave will be counted against the employees FMLA entitlement.

Medical certification for any FMLA leave may be required. An employee who has been granted FMLA leave must report on his or her status periodically and, in the case of FMLA leave taken because of the employee's own serious health condition, may be required to provide medical certification of fitness to return to work.

Upon return from FMLA leave, an employee will be offered the position he or she previously occupied or an equivalent position. Upon return from any other type of leave of absence, the School District will make an effort to reinstate the employee to the position he or she previously occupied or to a similar position. However, for non-FMLA leaves the School District cannot guarantee that the same position or a similar position will be immediately available at the time the employee desires to return to work. In such instance, an employee will be assigned to an appropriate position.

II. SICK LEAVE

All full time teachers and educational support personnel who participate in the Illinois Municipal Retirement Fund and/or fall under Section 24-6 of the School Code will receive ten (10) days of sick leave per school year. If an eligible employee does not use the full amount of annual leave allowed, the unused amount will be allowed to accumulate to a minimum available leave of 180 days at full pay, including leave of the current year.

Sick leave shall only be used for person illness, quarantine at home, serious

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illness or death in the immediate family or household (i.e. parents, spouse, brothers, sisters, children, grandparents, grandchildren, parents-in-law, brothers-in-law, sisters-in-law, and legal guardians), birth, adoption, of placement for adoption.

The employee shall immediately inform the Administrative Office of the School District that he or she cannot report to work and intends to utilize sick leave for an absence. All effort must be made to make this notification in advance so that the necessary substitute services can be procured, where appropriate and the building can be notified of the employee's absence.

The Board of Education may require a certificate as a basis for pay during leave after an absence of 3 days for personal illness or 30 days for birth or as the Board deems necessary. If the Board requires a certificate as a basis for pay during leave of less than 3 days for personal illness, the Board shall pay, from school funds, the expenses incurred in obtaining the certificate. The Board may require evidence that a formal adoption process is underway for paid leave for adoption or placement for adoption. Such leave shall not exceed 30 days unless otherwise negotiated via contract.

III. LONG-TERM PARENTAL LEAVE

An employee who is unable to work due to a disability caused or contributed to by pregnancy, childbirth, or related medical conditions may utilize available sick leave for such absences in the same manner as it may be used for any other sickness or disability.

As an alternative to the use of any available paid sick leave or to the use of FMLA leave as provided in Part I above, an employee may, at the employee's option, request a long-term parental leave. A long-term parental leave of absence, without pay, may be granted to any employee. If long-term parental leave is granted, it shall run concurrently with any available family or medical leave granted pursuant to Part I of this

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Policy.

A. Conditions for Granting Long-Term Parental Leave. When granted, a long-term parental leave shall be subject to the following conditions and limitations:

1. All requests for long-term parental leaves must be submitted in writing to the Superintendent at least 3 months prior to the date requested for commencement of the leave. The request is to include a statement as to the expected delivery date or placement for adoption date and the requested dates for both the commencement and termination of the leave.

2. The long-term parental leave shall begin on the date requested by the employee if approved by the Board of Education, provided, however, that a long-term parental leave must begin on a date not later than the date of delivery or the date of placement of the child with the employee for adoption.

3. A long-term parental leave may be granted for the remainder of the school year in which the leave begins and at the employee's request, for 1 additional school term; return must be at the beginning of a school year, unless another return date is requested and approved by the Board of Education. The return date shall be requested and agreed upon prior to the granting of the leave. The Board of Education may in its sole discretion upon request by the employee grant a modification of the previously agreed return date.

4. An employee on long-term parental leave is subject to dismissal due to a reduction in force on the same terms as employees not on leave.

B. Benefit of the Leave. Long-term parental leaves are without pay. No benefits shall be available to employees on long-term parental leave, except

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those specifically stated herein below.

1. An employee on long-term parental leave may continue to participate in the School District's group insurance plans provided the employee pays the total cost of the premium for the period of leave, provided, however, that the School District shall maintain the employee's coverage under any applicable group health plan for a period of 12 work weeks from the commencement of the leave under the same terms and conditions that would have been provided if the employee continued to work.
2. An employee on long-term parental leave shall suffer no loss of accrued sick leave or accrued seniority, but substitution of paid leave may occur as set forth in Part I above during any period of concurrent FMLA leave. Neither sick leave nor seniority shall accrue during the leave. No paid sick leave may be used by an employee on long-term parental leave.
3. Upon returning from a long-term parental leave, the employee shall be assigned to an available position for which the employee is qualified.

IV. LEAVES FOR VICTIMS OF DOMESTIC OR SEXUAL VIOLENCE

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family, or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action. The employee shall provide the employer with at least 48 hours advance notice of the employee's intention to take the leave, unless notice is not practicable.

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

V. MILITARY LEAVE

Full-time employees who are a members of the U.S. Armed Services or any of its reserve components and the National Guard will be granted leave for any period actively spent in military service, including:

1. basic training;
2. special or advanced training, whether or not within the State, and whether or not voluntary;
3. annual training; and
4. any other training or duty required by the United States Armed Forces.

During leaves for annual training, the employee shall continue to receive his or her regular compensation as a public employee. During leaves for basic training and up to 60 days of special or advanced training, if the employee's compensation for military activities is less than his or her compensation as a public employee, he or she shall receive his or her regular compensation as a public employee minus the amount of his or her base pay for military activities.

VI. PERSONAL LEAVE

Employees who are entitled to paid Personal Leave shall receive the designated amount of days per school year as specified in their respective fringe benefits plan.

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Personal Leave days are allowed each year for personal business which cannot be otherwise attended to or provided for outside regular working hours. Personal Leave shall not be allowed or taken before or after a holiday or a holiday weekend, with the exception of a bona fide emergency or religious holiday. Any absences of more than 3-1/2 hours will be deducted as a full day. Any unused Personal Leave will accumulate to sick leave, in accordance with the employee's fringe benefits plan.

The employee shall complete the REQUEST FOR EMERGENCY/BUSINESS LEAVE application form, KSD 90-41, 3 days before the applied day(s). Personal Leave must be requested through the employee's administrator and receive the Superintendent or designee's approval before being taken.

VII. OTHER LEAVES OF ABSENCE

The Board of Education may also grant additional leave time without pay or benefits under unusual circumstances and when such a leave is determined by the Board of Education to be in the best interests of the School District. No such leave shall be granted for more than 90 calendar days beyond the exhaustion of all other available leave.

When a classified employee is absent and unable to work due to any physical or mental incapacity due to any illness or injury, the employee shall be deemed temporarily ill or incapacitated if the absence is for a period of not more than 90 consecutive calendar days, or intermittently for more than 60 work days in a fiscal year. An employee absent for more than 90 consecutive calendar days or for 60 work days in a fiscal year shall be deemed permanently ill or incapacitated. Any classified employee who has exhausted all of his or her available sick leave and any available FMLA leave, and who is unable to return to work after 90 consecutive calendar days shall be granted an unpaid leave of absence for a period not to exceed 90 calendar days from the date

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of exhaustion of available sick and FMLA leave. If the employee does not return to work within that 90 day leave, his or her employment with the School District will be terminated, effective the next day.

VIII. APPLICABILITY

To the extent of any direct conflict between the provisions of the policy and the provisions of any collective bargaining agreement, such provisions of the collective bargaining agreement shall control to the extent of the contract.

Legal Reference(s):

FMLA 29 U.S.C. 2601, 29 C.F.R. Part 825.

20 ILCS 1805/30.1 et seq

105 ILCS 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13 and 5/24-13.1

820 ILCS 147/1 et seq. and 180/1 et seq.

5 ILCS 325/1

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400.5.11 VACATION USE

Adopted: June 14, 1990

Reviewed: August 2015

Employees who are entitled to vacation shall earn vacation on a yearly basis. Vacation time will, however, accrue pro rata on a monthly basis for twelve (12) months from the date of employment. Vacations are to be scheduled with the appropriate administrator. The administration may allow employees to use accrued vacation prior to expiration of the twelve (12) month period within which it is earned.

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400.5.12 ABSENCE

Adopted: June 14, 1990

Reviewed: August 2016

Deleted: September 22, 2016

Combined with Policy 400.5.10 LEAVE OF ABSENCE AND TEMPORARY LEAVE

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400.5.13 PARENTAL LEAVE

Adopted: June 14, 1990

Reviewed: August 2016

Deleted: September 22, 2016

Combined with Policy 400.5.10 LEAVE OF ABSENCE AND TEMPORARY LEAVE

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400.5.14 MINORITY RECRUITMENT

Adopted: June 14, 1990

Reviewed: August 2015

The Board of Education is desirous of employing and maintaining a culturally and socially diverse staff. To that end, it is the goal of the Board of Education to employ qualified minority personnel in all employment positions, including certificated and non-certificated areas of employment, including but not limited to custodians and teacher aides.

It is the intent to have those minority applicants who, in the judgement of the Board of Education, are most qualified for the position for which they have applied.

The Superintendent shall take appropriate measures to implement this policy and direct other administrators to proceed in methods they deem necessary to meet the goals and objectives of the Board of Education.

This policy statement is not intended to constitute a contractual obligation or commitment.

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400.5.15 WEB PAGE POLICY

Adopted: June 14, 1990

Reviewed: August 2015

I. APPLICATION

This policy applies to web pages published on the District server and to District Web Pages wherever published.

II. OWNERSHIP AND CONTROL

All Web Pages placed on the District server are the property of the District. The District reserves the absolute right to determine whether any page is published on the District server as well as the absolute right to delete any files that exist on the District server. Any District Web Page published on any server shall remain the property of the District and shall be subject to the provisions of this policy.

III. CONTENT STANDARDS

All subject matter and links on District Web Pages must relate to curriculum and instruction, school activities, or information about District 140 or its mission. Information about parent groups, other governmental entities, or non-profit organizations exclusively devoted to community interests or child welfare may also be included. No material shall be displayed on a District Web Page that is in violation of law or primarily for a commercial or political purpose.

IV. APPROVAL AND PUBLICATION

Only material prepared by District staff members, students or agents may be published on District Web Pages. No third person or entity shall be allowed to publish any material on a District Web Page. No Web Page may be published on the District server and no published page shall be modified without the prior written authorization of either: (1) the Superintendent; (2) an Assistant Superintendent; (3) a Building Principal; or (4) other person(s) specifically designated in writing by the Superintendent to approve the Web Pages.

V. ADMINISTRATIVE PROCEDURES AND GUIDELINES

The Superintendent shall establish and maintain administrative procedures and

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guidelines to implement this policy. The procedures and guidelines shall include but not necessarily be limited to: (1) student privacy safeguards; (2) Web Page development; and (3) the Web Page approval process.

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400.5.16 SICK LEAVE BANK

Adopted: June 15, 2000

Reviewed: August 2015

I. PURPOSE

The purpose of this policy is to provide additional paid sick leave to employees, otherwise eligible for sick days, who have exhausted all of their available paid sick leave and who, due to unusual circumstances, are unable to work due to a major serious illness or a major serious illness, disability or serious illness or death in the immediate family. Immediate family is defined as parents, spouse, brothers, sisters, children, grandparents, grandchildren, parents-in-law, brothers-in-law, sisters-in-law, domestic partners, and legal guardians.

II. ELIGIBILITY

Employees who have worked for the District for no less than six months shall be eligible to join the sick leave bank program. In order to join the program, an employee must contribute one (1) day of his/her available unused sick leave into the sick leave bank. Current employees must join within 10 days of the distribution of the sign up forms to all eligible employees by the Committee. New hires who elect to join must do so within 10 days of eligibility.

III. CREATION OF THE BANK AND ITS ADMINISTRATION

A sick leave bank will be established provided that no less than two-hundred (200) District employees sign up for membership. The bank will continue to exist so long as there are no less than two-hundred (200) members. The sick leave bank will be administered by a Committee consisting of six (6) volunteer members who are members of the sick leave bank. Two (2) to be designated by the Teachers' Association, one (1) to be designated by the Custodians' Union, one (1) to be designated by the Paraeducators' Union, and two (2) employees to be designated by the Superintendent. Three members of the first Committee shall serve for a term of two (2) years and three members shall serve for a one (1) year term; thereafter the term of all Committee members shall be two (2) years. The terms of the first Committee members shall be

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determined by lot at the first Committee meeting. The Committee will prepare a sign-up form to be distributed to all eligible employees. It will prepare such other information or forms as it finds desirable to operate the bank. Employees who sign up shall be members. The Committee shall distribute sign-up forms to all eligible employees at the beginning of the 2006-07 school year.

IV. REQUESTS FOR WITHDRAWAL

Any member who has exhausted all of his/her available paid sick leave and has been absent without wages for two (2) consecutive work days due to a serious illness, disability, or a serious illness or death in the immediate family, may apply to the Committee for a withdrawal of days from the sick leave bank. Each withdrawal relating to the designated incident shall be a minimum of five (5) days and a maximum of thirty (30) days. The employee must have the intention of returning to work. Any unused sick days will be returned to the sick bank. No member shall be eligible for more than sixty (60) days in any school year and no member who has received sixty (60) days in any school year shall be eligible to request or receive another withdrawal until such time as the member has returned to work for a period of not less than one full school year.

V. STANDARDS FOR WITHDRAWAL AND SUPERINTENDENT'S APPROVAL

To be eligible for a withdrawal, the member must submit an application to the Committee accompanied by a doctor's certification. The application and certification form will be provided by the Committee. The employee or a member of his/her immediate family must have a major, serious illness, disability or there must have been a death in the immediate family, such that the employee is unable to work for a period of not less than five (5) days. Upon review of the application, appropriate employee records, and the doctor's certification, the Committee shall determine whether to recommend that a withdrawal of days be approved by the Superintendent and if so, the number of days to be approved. Upon receipt of the Committee's recommendation, the

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Superintendent may either approve or disapprove the withdrawal or modify the number of days. The Superintendent shall advise the Committee of his decision in writing.

VI. DEPLETION OF DAYS

Whenever the sick leave bank falls below eighty (80) days, the Committee shall require that all members contribute one (1) additional day of their unused accumulated sick leave to the bank. Any member who fails to make the additional donation within ten (10) days of receiving the sign-up form shall be deemed to have resigned from membership, may not rejoin, and shall no longer be eligible for a withdrawal.

VII. TERMINATION OF POLICY

The Board of Education reserves the sole and exclusive right to terminate this policy at any time. Upon any termination, the Committee shall determine a fair and equitable manner of returning days then in the bank to current members. A lottery method shall be deemed fair and equitable.

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400.5.17 DIRECT DEPOSIT OF PAYCHECKS

Adopted: January 17, 2008

Reviewed: August 2015

The purpose of this policy is to encourage all employees to be paid by direct deposit in an account at a bank or financial institution of the employee's choice. Direct deposit is believed to be in the best interests of the District and the employee. New employees, who have a personal bank account, will be requested upon initial hire to authorize the direct deposit of their paychecks. Employees who are not paid by direct deposit, will be asked to authorize direct deposit of their paychecks.

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400.5.18 SEXUAL HARASSMENT

Adopted: October 20, 2011

Reviewed: July, 2014

Revised: October 15, 2015

"Sexual harassment" means any unwelcome sexual advances or requests for sexual favors or any 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. This policy is designed and intended to prevent and correct promptly any sexually harassing behavior.

Sexual harassment is illegal and will not be tolerated. It can include, for example unwelcome sexual advances, displaying materials that are sexual in nature, or engaging in sexually offensive jokes or comments.

All employees are strictly prohibited from engaging in any type of sexual harassment. Any employee who believes that he or she is being sexually harassed, or who believes he or she has witnessed sexual harassment, as defined above, should promptly report the claim to the Nondiscrimination Coordinator and/or follow the corresponding Administrative Procedures set forth in Policy 300.12.

NOTE: False or frivolous complaints refer to cases in which the accuser is acting in bad faith and using a sexual harassment complaint to accomplish some end other than stopping sexual harassment. Given the seriousness of the consequences for the accused, a false or frivolous charge is a severe offense that can result in disciplinary action up to and including termination.

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400.5.19 PERSONAL TECHNOLOGY USAGE AND CONDUCT ON SOCIAL MEDIA

Adopted: October 15, 2015

Revised: January 21, 2016

Social Media – Media for online communication channels dedicated to community-based input, interaction, content sharing and collaboration. Examples include websites and applications dedicated to forums, blogging and social networking, such as Facebook, LinkedIn, MySpace, Twitter, and YouTube.

Personal technology – Any device that is not owned or leased by the School District or otherwise authorized for School 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 but is not limited to laptop computers tablets smartphones.

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

1. Adhere to the high standards for appropriate school relationships required by Policy 400.1 General Staff Ethics and the Code of Ethics, 23 Ill. Admin. Code §22.20, at all times.

2. Use only School District-provided or approved methods to communicate with students and their parents/guardians. Specifically, but without limitation, staff members may not use personal technology to engage in any of the following acts, except as part of a legitimately school-sponsored function or for genuine school purposes.

- Taking pictures or video of students
- Recording audio of students
- Text messaging students
- Emailing students
- “Friending” students on Facebook, “Tweeting” students on Twitter, or

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Adopted: October 15, 2015

Revised: January 21, 2016

otherwise communicating with students via similar social media

- Posting or sharing inappropriate images or private information about themselves or others in a manner readily accessible to students

3. Use personal technology and social media for personal purposes only during non-work times or hours except in case of emergencies. 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.

4. 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 School District expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media.

5. 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. Staff members will not be disciplined for first time violations which are inadvertent or inconsequential but may receive a warning.

Legal reference(s):

23 Ill. Admin. Code §22.20