

Inspire every child to



Meeting of the Board of Education Park Ridge – Niles School District 64

Regular Board Meeting Agenda
Tuesday, January 26, 2016
Jefferson School – Multipurpose Room
8200 Greendale Avenue
Niles, IL 60714

On some occasions the order of business may be adjusted as the meetings progresses to accommodate Board members' schedules, the length of session, breaks and other needs.

TIME

APPENDIX

- 6:00 p.m. **Meeting of the Board Convenes**
- Roll Call
 - Introductions
 - Opening Remarks from President of the Board
 - **Board Recesses and Adjourns to Closed Session**
 - Collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. [5 ILCS 120/2 (c)(2)].
- 7:00 p.m. • **Board Adjourns from Closed Session and Resumes Regular Meeting**
- **Pledge of Allegiance and Welcome**
 - Jefferson School Principal/Students
 - **Public Comments**
 - **Adoption of Resolution #1158 Directs the Chief School Business Official Under the Direct Supervision of the Superintendent to Begin Preparation of a Tentative Budget for the 2016-17 Fiscal Year in Accordance with Board Policy 4:10 Fiscal and Business Management and the Illinois School Code 105ILCS 5/17-1** **A-1**
 - Chief School Business Official **Action Item 16-01-2**
 - **Carpenter School Update** **A-2**
 - Chief School Business Official/Director of Facility Management
 - **Update on 2020 Vision Strategic Plan** **A-3**
 - Superintendent
 - **Superintendent Mid-Year Update** **A-4**
 - Superintendent

- **Discussion Part 2: 2016 Student Fees** **A-5**
 -- Superintendent/Chief School Business Official

- **Discussion and Approval of Pre-School Fees** **A-6**
 -- Chief School Business Official **Action Item 16-01-3**

- **Discussion: K-5 Hot Lunch** **A-7**
 -- Superintendent/Chief School Business Official

- **Update on Master Facility Plan/Health Life Safety** **A-8**
 -- Superintendent/Chief School Business Official

- **Consent Agenda** **Action Item 16-01-4** **A-9**
 -- Board President
 - Personnel Report
 - Bills, Payroll and Benefits
 - Approval of Financial Update for the Period Ending December 31, 2015
 - Acceptance of Donation
 - Review of Closed Session Minutes for Release
 - Destruction Audio Closed Minutes

- **Approval of Minutes** **Action Item 16-01-5** **A-10**
 -- Board President
 - Closed Session Meeting -----January 11, 2016
 - Closed Session Meeting -----January 9, 2016
 - Special Board Meeting -----January 9, 2016
 - Regular Board Meeting -----December 14, 2015
 - Closed Session Meeting -----December 14, 2015

- **Other Discussion and Items of Information** **A-11**
 -- Superintendent
 - Upcoming Agendas
 - Freedom of Information Act (FOIA) Requests
 - District Committee Update (Elementary Learning Foundation, Traffic Safety Meeting, PTO/A Presidents Meeting)
 - Memorandum of Information (none)
 - Minutes of Board Committees (none)
 - Other
 - Discipline Data Report
 - Superintendent Community Relations Council

- **Adjournment**

Next Meeting: **Thursday, February 4, 2016**
 Special Board Meeting – 6:30 p.m.
 Closed Session Meeting
Hendee Educational Service Center
 164 S. Prospect Avenue
 Park Ridge, IL 60068

In accordance with the Americans with Disabilities Act (ADA), the Board of Education of Community Consolidated School District 64 Park Ridge-Niles will provide access to public meetings to persons with disabilities who request special accommodations. Any persons requiring special accommodations should contact the Director of Facility Management at (847) 318-4313 to arrange assistance or obtain information on accessibility. It is recommended that you contact the District, 3 business days prior to a school board meeting, so we can make every effort to accommodate you or provide for any special needs.

Upcoming Meetings and Topics
As of January 20, 2016

January 26, 2016 – Jefferson School – Multipurpose Room

Closed Session Meeting – 6:00 p.m.

Regular Board Meeting – 7:00 p.m.

(As of Thursday, August 27, 2015 all Regular meetings will move from 7:30 p.m. to 7:00 p.m.)

- Carpenter Update
- Pledge of Allegiance and Welcome
- Adoption of Resolution # Directs the Chief School Business Official Under the Direct Supervision of the Superintendent to Begin Preparation of a Tentative Budget for the 2016-17 Fiscal Year in Accordance with Board Policy 4:10 Fiscal and Business Management and the Illinois School Code 105ILCS 5/17-1
- Update on 2020 Vision Strategic Plan
- Discussion Part 2: Student Fees
- Discussion and Approval of Preschool Fees
- Discussion: K-5 Hot Lunch
- Superintendent Mid-Year Update
- Update on Master Facility Plan/Health Life Safety
- Discipline Data Report
- Review of Closed Session Minutes for Release
- Approval of Financial Update for the Period Ending December 31, 2015

February 4, 2016 – Hendee Educational Service Center

Special Board Meeting – 6:30 p.m.

- Discussion Regarding Formation of Board Finance and Building/Sites Committee
- First Reading of Policies from PRESS Issue 89, August 2015

Closed Session Meeting

February 8, 2016 – Jefferson School – Multipurpose Room

Special Board Meeting – 6:30 p.m.

- Security Update
- Discussion on Staffing 2016-17

Closed Session Meeting

February 22, 2016 - Washington School – Gym

Closed Session – 6:30 p.m.

Regular Board Meeting – 7:00 p.m. (or at the conclusion of closed whichever is later)

(As of Thursday, August 27, 2015 all Regular meetings will move from 7:30 p.m. to 7:00 p.m.)

- Pledge of Allegiance and Welcome
- Board Authorizes 2016 - Staffing Plan
- District Institute Day Update
- Approval: Special Education Administrative Model
- Website Analytics Report
- Approval of Bids for Summer 2016 Project
- Residency 101 Update
- Fee Study Recommendation
- Enrollment Projections for 2016-17 School Year
- Presentation of Tentative Calendar for 2017-18
- Approval of Financial Update for the Period Ending January 31, 2016
- Approval of Policies from PRESS Issue 89, August 2015

March 3, 2016 – Hendee Educational Service Center

Special Board Meeting – 6:30 p.m.

Closed Session Meeting

March 21, 2016 – Lincoln School – Gym

Regular Board Meeting – 7:00 p.m.

(As of Thursday, August 27, 2015 all Regular meetings will move from 7:30 p.m. to 7:00 p.m.)

- Pledge of Allegiance and Welcome
- Approval of Health Life Safety Recommendations Safety Recommendations for a Five-year Plan
- Healthy Living Month – memo
- Consent Agenda
 - Resolution #___ to Transfer Funds Between Education and Debt Service Fund for VoIP
 - Resolution #___ to Transfer Funds Between Education and Debt Service Fund for Copier
 - Resolution(s) Reduction in Force List (tentative)
 - Resolution #___ Non-Reemployment of part-Time Educational Support Personnel Employees (tentative)
 - Resolution #___ Dismissal of First or Second or Third -Year Probationary Teachers for Reasons Other than Reduction-in-Force (tentative)
 - Resolution #-- Honorable Dismissal of Teachers (tentative)
 - Resolution #___ Dismissal of Probationary Educational Support Personnel Employees (tentative)
 - Approval of Financial Update for the Period Ending February 29, 2016
 - Adopt Tentative Calendar for 2017-18 School Year

TBD

- Comprehensive Bid Plan
- Update on Food Service Contract
- Discussion: Board Policy 4:130 - Should the District Offer Reduced Lunch
- Discussion: Board Policy 4:150 – Should the Board continue to grant authority up to \$25,000 for renovations or permanent alterations Buildings and Grounds
- Approval of Ten-year Health Life Safety Survey

The above are subject to change.

ADOPTION OF RESOLUTION #1158 DIRECTS THE CHIEF SCHOOL BUSINESS OFFICIAL UNDER THE DIRECT SUPERVISION OF THE SUPERINTENDENT TO BEGIN PREPARATION OF A TENTATIVE BUDGET FOR THE 2016-17 FISCAL YEAR IN ACCORDANCE WITH BOARD POLICY 4:10 FISCAL AND BUSINESS MANAGEMENT AND THE ILLINOIS SCHOOL CODE 105 ILCS 5/17-1

This resolution conforms to the requirements in the *Illinois School Code* 105ILCS 5/17-1 Annual Budget.

ACTION ITEM 16-01-2

I move that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois, adopt Resolution #1158, directing the Chief School Business Official Under the Direct Supervision of the Superintendent to Begin Preparation of a Tentative Budget for the 2016-17 Fiscal Year in Accordance with Board Policy 4:10 Fiscal and Business Management and the Illinois School Code 105 ILCS 5/17-1

Moved By: _____ Seconded By: _____

AYES:

NAYES:

PRESENT:

ABSENT:

1/26/16

RESOLUTION #1158 DIRECTS THE CHIEF SCHOOL BUSINESS OFFICIAL
UNDER THE DIRECT SUPERVISION OF THE SUPERINTENDENT TO BEGIN
PREPARATION OF A TENTATIVE BUDGET FOR THE 2016-17 FISCAL YEAR IN
ACCORDANCE WITH BOARD POLICY 4:10 FISCAL AND BUSINESS
MANAGEMENT AND THE ILLINOIS SCHOOL CODE 105 ILCS 5/17-1

In accordance with Board Policy 4:10 Fiscal and Business Management and the Illinois School Code 105 ILCS 5/17-1 Annual Budget, the Board of Education directs the Chief School Business Official under the direct supervision of the Superintendent, to prepare a Tentative Budget for the 2016-17 fiscal year. The Chief School Business Official shall present to the Board of Education, a tentative budget with explanation, no later than the first regular meeting in August.

President
Board of Education
COMMUNITY CONSOLIDATED
SCHOOL DISTRICT 64
Cook County, Illinois

Secretary

Adopted this 26th day of January, 2016

To: Board of Education

From: Dr. Laurie Heinz, Superintendent
Ron DeGeorge, Director of Facility Management

Date: January 26, 2016

Re: Carpenter School Update

Background

During the 2014-15 school year, District 64 took aggressive measures to ensure the full functionality of a new HVAC system installed during summer 2013 at Carpenter School. The school had experienced numerous issues with the functioning of both the air conditioning and heating throughout its first year of operation. Although each issue was addressed separately as it arose, District 64 was dissatisfied with the ongoing disruptions to the school's learning environment and decided to engage the Farnsworth Group to conduct a retro-commissioning study. The study was completed and presented to the Board of Education on August 25, 2014.

Following that study, District 64 added construction manager Nicholas and Associates to supervise a team consisting of architects Fanning Howey, the general contractor FE Moran, and other parties to remediate the numerous issues cited in the Farnsworth report related to the original design and installation. That work was completed during the 2014-15 school year, and the system was then operating with minimal disruptions.

2015-16 School Year

As the current school year got underway, the HVAC system performed well through the cooling season. However, problems began arising with the change of seasons and the shift to heating. The problems have become more severe since returning from Winter Recess with extreme cold temperatures. The current HVAC issue is primarily affecting Carpenter's 3rd - 5th grade wing, causing problems regulating proper room temperature. It is important to recall that the Carpenter HVAC system is actually two complete and separate systems that need each other to operate properly on these extreme days. The VRF system (ceiling cassettes) cannot maintain temperatures on their own. The second system is the ERV system, which blankets air by the windows and is bringing in warmed conditioned air to assist the VRF system.

Our Director of Facility Management Ron DeGeorge, Building Custodian Vince Evola and Principal Brett Balduf have been deeply involved in working to resolve these issues as they have arisen. During the week of January 11, two faulty controllers and two pumps were replaced, and we have been able to restore temperature control in these areas. On January 19, District 64 also

arranged to bring in portable heaters as a precautionary measure, which will be available as needed to maintain comfortable temperatures in any affected rooms if further problems arise.

As we seek to understand the root cause of the current problems, we have scheduled more corrective action to thoroughly troubleshoot the system over the January 23-24 weekend, so as to minimize disruption to staff and students. Our architects, engineers, and contractors continue to meet to identify a permanent fix to what should be an optimally running new system.

We communicated our current situation to the Carpenter community via email on January 19. Mr. DeGeorge has also been engaging frequently with teachers at the school to understand the functioning of the system throughout the school, and Principal Balduf has been updating his staff continuously.

Log of Current Activities

Here are further details about issues with the HVAC since returning from Winter Recess:

- **Monday, January 4, 2016** - While opening and checking the building, Mr. Evola discovered that the heat in zones 2 and 3 was not operating properly. He immediately notified Mr. DeGeorge of the problem. Upon further investigation it was discovered that 3 of the 5 VRF zones were operating correctly. The other 2 zones were not maintaining temperatures and required resets to get them to operate properly. Additionally, it was determined that a pump in Zone 2 had failed; it was replaced that day.
- **Monday, January 11, 2016** - This morning Mr. Evola discovered that Zone 2 was not operating correctly. He reset Zone 2, but the system did not respond and heat remained insufficient throughout the area. Harding Heating was called. Upon arrival, they conducted some diagnostic tests on the system and determined that a sensor had gone bad. The sensor was replaced and heat was restored.
- **Wednesday, January 13, 2016** - This morning, Mr. Evola discovered that Zone 3 was not operating correctly. He tried to reset the unit, but the system failed to properly heat the area. It had the same codes as Zone 2 did the prior week and, as a result, the sensor for that zone was also repaired.
- **Thursday, January 14, 2016** - Harding Heating was back at Carpenter to check the complete HVAC system. They found several units low on refrigerant. ERV 3 and ERV 4 pumps failed and need replacement. Additionally, the LRC rooftop unit had a control problem.
- **Friday, January 15, 2016** - Delta Controls was called to repair and check all control circuits. The system operated properly all day.
- **Saturday, January 16 and Sunday, January 17, 2016** - Mr. Evola worked for the Park District rental of the building over the weekend, which allowed him to continuously monitor the HVAC system. The system was able to maintain temperatures on both Saturday and Sunday. However, on Sunday, Zones 2 and 3 did require a reset.

- **Monday, January 18, 2016** - Monday was a holiday and temperatures dropped to 0 degrees outside. Mr. Evola came into the building to check on the temperature readings and found areas of the building not maintaining temperature. He notified Mr. DeGeorge and was instructed to reset the system again. The system responded to the reset and the rooms warmed to 72 degrees.
- **Tuesday, January 19, 2016** - Mr. Evola opened the building and did his usual building check at which time he noticed room temperatures had dropped in Zones 2 and 3. He immediately notified Mr. DeGeorge of the problem and contacted Harding Heating to see how soon their technician could get to Carpenter with a replacement pump that was ordered Friday. Mr. DeGeorge also contacted Nicholas & Associates to deliver 12 portable heaters to Carpenter to provide heat to classrooms in order to allow teaching and learning to occur. Harding's tech arrived at the school about 9:15 a.m., and by 10:00 a.m. had the pump replaced and heat circulating and rooms warming to set point temperatures. The part of the system that was down the day before (ERV-3) also experienced erratic problems with ERV-4. The compressors would not consistently operate when commanded/set to do so. After checking control wiring and doing diagnostics on the rooftop unit, a broken wire was identified as the cause for the erratic temperatures. Necessary repairs were made and the unit has continued to run since that time. As a precaution and to test the system, a manual override of the controls was implemented and left the building operating all night as if it were occupied. The following morning, no fault codes were identified and every room was at proper temperature.

Next Steps

Here are items still being addressed:

- The weekend of January 23-24 Harding Heating will be on site to verify proper refrigerant charge in each unit.
- We will be meeting with the installing contractor to discuss the past and current problems with this new system. We will identify how best to ensure we eliminate future problems so the system runs as it should.
- We will be meeting with the engineers, commissioning agent and project management company to discuss our ongoing concerns, identify remaining issues and establish long-term solutions to remedy the issues once and for all.
- We will conduct a meeting with pump manufacturer to discuss premature pump failures and determine long-term fixes to avoid repeated failures to a new system.
- We will host a meeting with LG rep to evaluate the system and check proper programming of cassettes.
- We will hold a meeting with the controls contractor to integrate LG controls into the building automation system.

With the work being performed the weekend of January 23-24, we will be able to ascertain whether all units have the correct refrigerant charge in them so they operate as they should. This

is a critical next step, because without the correct charge these units will not perform as designed.

As noted above, we have scheduled a meeting Monday, January 25, 2016 with Nicholas Associates, CS2 (the District's engineering consultants) and District staff to discuss the history of this problem and to determine steps needed going forward. We are also trying to get the meetings scheduled with representatives of the equipment manufacturers (LG) and the pump (Taco) supplier. Mr. DeGeorge has had phone meetings with the Farnsworth Group to see what additional help they can provide and will be available to us if called in.

Carpenter is warm and things seem to be working after the many fixes that have been in place over the last week or so. We will continue updating the Board and the Carpenter community as we move forward. Our goal is to ensure we have a fully functional system that won't require ongoing intervention to perform as designed.

To: Members of the Board of Education

From: Dr. Laurie Heinz

Date: January 26, 2016

Re: Update on 2020 Vision Strategic Plan and Superintendent Mid-Year Update

Mid-Year Update on 2020 Vision Strategic Year 1 Implementation

With the first half of the 2015-16 school year behind us, I am looking forward to providing you with an update on the progress made launching our *2020 Vision Strategic Plan* as well as the standards identified within my evaluation.

As you will recall, a community-informed Strategic Planning committee worked to develop a comprehensive strategic plan that is in year one of implementation. A five-year calendar/map was created to help prioritize and pace the roll-out of the full plan. My presentation to the Board will briefly revisit the in-progress calendar and provide you with an update as to what is in process as we move into the second half of the 2015-16 school year.

Six Strategic Objectives were identified within our 2020 Vision. Strategic Objectives identify *what the District must achieve to ensure its long-term sustainability and success*. Our Strategic Objectives are as follows:

1. STRATEGIC OBJECTIVE ONE: *Develop Students Who Master 4 C's - Communication, Collaboration, Creativity, and Critical Thinking*
2. STRATEGIC OBJECTIVE TWO: *Provide a Rigorous Education for All Students*
3. STRATEGIC OBJECTIVE THREE: *Differentiate to Meet the Academic and Social/Emotional Health Needs of All Students*
4. STRATEGIC OBJECTIVE FOUR: *Foster Effective Communication of Practice Through Professional Development and Staff Support*
5. STRATEGIC OBJECTIVE FIVE: *Provide Safe and Secure Learning Spaces to Support 21st Century Learners*
6. STRATEGIC OBJECTIVE SIX: *Maintain Fiscal Responsibility that Reflects a Commitment to Student Learning and a Rich Variety of Programs and Services*

In addition to the Strategic Objectives, desired outcomes, measures, and a Scorecard were identified to help us monitor from launch to full implementation each objective and components within the objectives.

My mid-year Google slide presentation will highlight essential elements of the plan that are having the highest impact or have required the greatest concentration of time and resources to achieve during the launch of our robust Strategic Plan.

In conclusion, turning toward the second half of my second year in District 64, it is clear that some projects will be underway in year one, but not fully implemented. Again, the five-year calendar helps pace the work for administration and staff as well as the Board. It is my strong belief that any goal worth setting takes time to achieve. We wrote a rich and complex plan, and as a result the 2020 Vision is having a significant impact on the 2015-16 school year. It will serve as our compass (roadmap) as we move toward full implementation in 2020.

2015 has been a year full of exciting challenges, continuous improvement, and ultimately staff growth and student achievement. I fully expect 2016 to be equally ambitious in terms of workload and pace, and look forward to continuing to work alongside various teams and departments to fully realize our potential as a District.

Mid-Year Superintendent Update

In July of 2014, the Board of Education, a representative from the Illinois Association of School Boards (IASB) and I created a comprehensive Superintendent Evaluation instrument to be used to assess the progress of the superintendent on an annual basis. This Fall, we worked to further refine the evaluation instrument and identify evidence to support progress made toward completion of goals from August to December of 2015.

As a reminder, my Superintendent evaluation instrument is grounded in recommendations from the IASB as well as the Educational Leadership Policy Standards (ISLLC 2008). The Interstate School Leaders Licensure Consortium (ISLLC) Standards for School Leaders is a set of high-level policy standards for educational leadership. These standards are intended to provide guidance to state policymakers as they work to improve education leadership preparation, licensure, evaluation, and professional development.

ISLLC identified six standards. As a Board, you added a seventh. The standards are as follows:

1. ***Vision:*** Promotes the success of every student by facilitating the articulation, implementation, and stewardship of a vision for learning that is shared and supported by all stakeholders.
2. ***Learning and Instruction:*** Promotes the success of every student by advocating, nurturing, and sustaining a school culture and instructional programs conducive to student learning and staff professional growth.
3. ***Organization, Finance and Facilities:*** Ensures effective management of the organization, operations, and district resources in order to create a safe, efficient, and effective learning environment.
4. ***Ethics:*** Act with integrity and fairness in an ethical manner.

5. ***Social & Political Environments:*** Understand, respond to, and influence of political, social, economic, legal, and cultural environments.
6. ***Policy and Governance:*** Works with the Board to formulate district policy.
7. ***Communication and Community Relations:*** Articulates district vision and purpose, handles media relations, solicits community feedback, and builds consensus for community support.

I look forward to providing the Board with a progress update by Standard. As I know you are aware, it has been a busy and productive year and the pace and workload only continues to grow.



Mid-Year Update on Plan Implementation

District 64 Board of Education

Dr. Laurie Heinz

January 26, 2016

5-Year Strategic Plan Implementation Calendar

- ❖ Draft Long-Range Mapping [Calendar](#)
 - Agile and Fluid
- ❖ Helps to Identify Priority Projects Over 5-year Implementation Window
- ❖ Goal: Pace the work for administration and staff to ensure successful implementation

Update on Strategic Objective One

A. Engaging, Motivating, and Challenging Educational Program

- Program review: C of C (launched December 2015)
- Completion of Ed Ends Review - done for Encore
- Completion of new curriculum review cycle (BOE November 16, 2015)
- Design and Pilot of Learning Walk Protocol

B. Inquiry-Based Learning

- Science Review Committee (separate elementary and middle school) are developing inquiry-based learning units

C. Technology Integration

- Job-embedded coaching opportunities regarding the 4c's (data from ITCs on types of coaching goals)
- BrightBytes questionnaire completed in fall by staff and students grades 3-8
- Introduction of SAMR model in PD workshops as an integration rubric
- Integration of a formalized digital citizenship curriculum K-8

Update on Strategic Objective Two

A. Aligned, Articulated Curriculum

- Curriculum Maps for all core areas
- Learning outcomes repacked into unit plans for all subject areas
- Learning walks initiated

B. High-Impact Instruction

- Learning walks initiated
- SEL - Expansion of a Tier 1 Social Skills Curriculum to include all schools
- High Impact Instruction (February and March)
- Formative Assessment/7S

C. Standards-Based Reporting

- Mastery Learning Committee - “Study” Stage
- Parent University
- Survey Tool Analysis In Process
- Performance Targets Reported

Update on Strategic Objective Three

A. High-Quality Tier 2 and Tier 3 Intervention

- Math Tier 3 expanded to be available for special education and Title I students
- SEL (Social and Emotional Learning) program, Second Step - expanded and now offered in all schools
 - Standardization across District TBD
- Core + Committee authorizes the SEL Committee to reconvene to plan the Multi Tiered System of Support

B. Data-Driven Decision-Making

- Core + Committee finalized a comprehensive mission and begins backwards mapping
- Core + Committee launches subcommittee to standardize Problem Solving Process and Paperwork across the District
- Special Education Reading Intervention Procedures K-8 including progress monitoring protocols are jointly developed and implemented

Update on Strategic Objective Four

A. Collaboration & Teaming for Continuous Improvement

- SMART Team Training (Initial and Mid-Year sessions)
 - Building leadership capacity through Assessment Design training
- District Strategic Data Leadership Teams (60 members)
- Data Protocol - Principals meet with teachers in grade 3-5 to review MAP data and develop action plans

B. Professional Communities of Practice

- Implementation of virtual community collaborative learning opportunities begin in February 2016

C. Differentiated Professional Development

- Summer technology courses offered by District's technology coaches
- Menu Options (EdCamp) at Staff Development Days in both November & February
- Formative Assessment Training
- High Impact Instruction workshops by Jim Knight
- Co-teaching PD implemented and offered through the school year and summer

Update on Strategic Objective Five

A. Life Safety & Universal Access

- FGM & administration laying out timeline to complete all HLS projects.
- Administration reviewed project financing with Board.

B. Master Facilities Plan

- Administration reviewed and identified *Critical Infrastructure Projects* to be addressed
- Bids for Summer 2016 HLS and MFP projects will be brought to Board for approval on February 22, 2016.

C. Environmental Health

- Critical issues with all facilities will be addressed with Summer 2016 construction.
- Leaking roofs and damage to infrastructure of buildings.
- Adopted alternative ways to cover staff shortages to decrease overtime costs.
- Increased custodial fee for building rentals on weekends and non-school days (days custodians would not be at work) to better cover the cost of the custodian including their benefits associated with over time.

Update on Strategic Objective Six

A. Financial Stewardship

- Financial portion of District 64 Dashboard for website completed and reviewed by Board.
- Board receives monthly financial reports that clearly separate Operating Funds from other funds. Financial reports are posted monthly to the website along with accounts payable approved at each BOE meeting.
- Administration has moved Enrollment Projections into the Cohort Survival Method and is using live birth data to project

Kindergarten potential class sizes. Projections will be presented to Board in conjunction with 2016-17 staffing proposal.

- Administration provides updated Financial Projections to the BOE at key times during the year (Tax Levy, Budget Adoption, Staffing, Negotiations, Curriculum/Technology adoptions, etc.)
- 2014-15 Audit Completed, accepted by Board and submitted to ISBE. Posted on website.

Update on Strategic Objective Six (continued)

B. Finance Priority Projects

- Presented Board proposed construction projects for Summer 2016 and Summer 2017
- Associated costs and funding options shared
- Board approved applying for Qualified School Construction Bonds (QSCBs), which would save 93% of associated interest costs on bonds.

C. Fund Balance Policy

- Administration prepared and presented to BOE the Days Cash on Hand and Percentage Fund Balance at close of 2014-15 Fiscal Year.
- Through use of Financial Projections Model, Board receives on-time updated projections that allow Board to see impact of decisions.

Update on Strategic Objective Six (continued)

D. Finance Priority Programs

- Program review committees in progress; no recommendations received at this time.

E. Plan for Future Challenges

- Development of Cohort Survival enrollment projections will help with enrollment trends. Administration is reviewing enrollment projections with potential recommendations being developed regarding middle school enrollment projections and addressing potential elementary overcrowding at certain buildings.

F. Parent and Community Education

- New Superintendent Community Relations Council formed with 20 community volunteers.
- New C of C Curriculum Review Committee formed with several parent volunteers.
- Investments in student learning highlighted within 2015-16 Budget documents (from draft in May through adoption in September).
- New comprehensive 2015 Annual Report mailed to the community included 2-page update on finances and facilities and a 2-page update on student learning.

Update on Strategic Objective Six (continued)

- 2015 Financial Report (second edition of this e-publication) is being drafted; postcard will be mailed to the community announcing its availability online.
- Investigating CEC source for satisfaction survey to build on previous study February 2015.
- New District 64 website Dashboard launched.



*What Questions
Do You Have
?*

To: Members of the Board of Education

From: Dr. Laurie Heinz

Date: January 26, 2016

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4. ***Ethics:*** Act with integrity and fairness in an ethical manner.

5. ***Social & Political Environments:*** Understand, respond to, and influence of political, social, economic, legal, and cultural environments.
6. ***Policy and Governance:*** Works with the Board to formulate district policy.
7. ***Communication and Community Relations:*** Articulates district vision and purpose, handles media relations, solicits community feedback, and builds consensus for community support.

I look forward to providing the Board with a progress update by Standard. As I know you are aware, it has been a busy and productive year and the pace and workload only continues to grow.

To: Laurie Heinz, Superintendent
Board of Education

From: Luann Kolstad, Chief School Business Official

Date: January 26, 2016

Subject: Discussion Part 2: 2016 School Fees

Appendix 5

This report has been prepared in response to questions regarding the District's legal ability to require students to pay certain fees. Attached to this Board report is a letter that Dr. Philip Bender received on January 13, 2014 from the District's attorney Terry Hodges of Hodges Loizzi regarding student fees.

The District's authority to charge fees is outlined in the following provisions:

- Illinois School Code (105 ILCS 5/10-20 various and 105 ILCS 5/2-3.96)
- Illinois Administrative Code (23 IL ADC 1.245)
- *Hamer v. Board of Education of School District No. 109*
- *Beck v. Board of Education of Harlem Consolidated School District No. 122*
- *Ambroiggio v. Board of Education of School District No. 44*

The above referenced documents are included for the Board's review. Under Illinois law, a district must provide educational services to students tuition-free, but may charge a reasonable fee for non-educational services and school supplies. (*Ambroiggio, supra* 109.) Illinois courts have determined that a school board may impose a mandatory flat-rate fee for certain materials and supplies furnished by the school district to its students. (*Beck, supra* 1027.) As the cost of consumables and the introduction of technology used by schools have increased, so too have student fees.

The District may charge a fee for the following services and consumables:

- Textbooks and instructional materials
- Charges for use of school property (locks, towels, laboratory equipment, etc.)
- Field trips made during school hours
- Uniforms or equipment related to varsity and intramural sports or to fine arts programs
- Charges for supplies required for a particular class (woodshop, home economics, etc.)
- School Records Fees
- Supervised lunchroom supervision, playground supervision, bus supervision

The attached list of fees was taken from the 2015-16 Adopted Budget. Some fees that can be charged are not included, because they are intermingled with other materials (e.g., technology). However, the identified non-educational items total \$1,465,937. As of December 10, 2015, the District had collected fees for 2015-16 totaling \$1,106,303. This represents a recovery rate of 75% of expenditures.

In comparing District 64's fees with surrounding districts, one must remember to look at the breadth of programs offered to District 64 students compared to surrounding districts.

Via Electronic Transmission

January 13, 2014

Dr. Philip Bender, Superintendent
Community Consolidated School District No. 64
164 S. Prospect Avenue
Park Ridge, Illinois 60068
pbender@d64.org

RE: STUDENT FEES

Dear Dr. Bender:

Pursuant to your request, this letter provides our opinion regarding the District's legal authority to require students to pay certain fees. As discussed further below, the District's authority flows from various provisions in the Illinois *School Code*, the Illinois State Board of Education's (ISBE) administrative regulations, and judicial decisions. To the extent parents inquire about imposed district fees, you may provide them with the following authority:

School Code, Sections 10-20, 10-20.5, 10-20.13, and 2-3.96 (105 ILCS 5/10-20, 10-20.5, 20-10.13, and 2-3.96)

Illinois Administrative Code, 23 Ill. Admin. Code 1.245

Hamer v. Board of Education of School District No. 109, 47 Ill.2d 480, 265 N.E.2d 616 (Ill. 1970)

Beck v. Board of Education of Harlem Consolidated School District No. 122, 63 Ill. 2d 10, 344 N.E.2d 440 (Ill. 1976)

Ambroiggio v. Board of Education of School District No. 44, 101 Ill.App.3d 187, 56 Ill.Dec. 622, 427 N.E.2d 1027 (2nd. Dist. 1981)

The general powers and duties of school boards are set forth in the *School Code*, including the listing that begins in Section 10-20 (105 ILCS 5/10-20 *et seq.*). As part of its express power, the *School Code* also permits a board to adopt and enforce all necessary rules for the management and governance of its school. 105 ILCS 5/10-20.5. Consequently, it is well established in Illinois court decisions that a broad spectrum of implied and incidental powers may be inferred from these express statutory grants. *Ambroiggio, supra*. One such judicially-recognized power is the right of a school board to require students to pay fees. *Beck, supra; Ambroiggio, supra*.

In 1970, the ability of Illinois school districts to assess student fees faced its first constitutional challenge. The Illinois Supreme Court decided in *Hamer v. Board of Education* that a school district's imposition of student fees did not violate the state's constitutional provision requiring a free public education. Hamer, *supra*. The Court reviewed the constitutional history of free public education and found that it was in the legislature's discretion whether to allow schools to assess student fees or not. Hamer, *supra*. This decision established the groundwork for Illinois school districts to charge fees for a variety of school services and materials. Beck, *supra*.

This power to set student fees, however, is not unlimited. Under Illinois case law, a District must provide educational services to students tuition-free, but may charge a reasonable fee for non-educational services and school supplies. *Ambroiggio, supra* at 1039. Using this standard, Illinois courts have determined that a school board may impose a mandatory flat-rate fee for certain materials and supplies furnished by the school district to its students. *Beck, supra* at 1027. Such fees have expanded over the years with the variety of materials, supplies, and technology used by schools.

In addition, the ISBE regulations on required waivers of fees for indigent students (23 Ill. Admin. Code 1.245) provide further guidance on the types of fees that may be assessed:

- 1) All charges for required textbooks and instructional materials ;
- 2) All charges and deposits collected by a school for use of school property (*e.g.*, locks, towels, laboratory equipment);
- 3) Charges for field trips made during school hours, or made after school hours if the field trip is a required or customary part of a class or extracurricular activity (*e.g.*, annually scheduled trips to museums, concerts, places of business and industry or field trips related to instruction in social studies, the fine arts, career /vocational education or the sciences) ;
- 4) Charges or deposits for uniforms or equipment related to varsity and intramural sports or to fine arts programs;
- 5) Charges for supplies required for a particular class (*e.g.*, shop or home economics materials, laboratory or art supplies);
- 6) Graduation fees (*e.g.*, caps and gowns);
- 7) School records fees;
- 8) School health services fees; and
- 9) Driver's Education fees assessed pursuant to Section 27-24.2 of the *School Code* (105 ILCS 5/27-24.2);

This is not an exhaustive list, and the Illinois courts have expanded student fees to also include, for example, a fee for students who use supervised lunchroom services provided by the school. *Ambroiggio, supra*.

These same ISBE regulations clarify what are not considered proper fees for a school district to assess to all students. Instead, this listing indicates costs that a board can only assess to those students and individuals who incur the fees or wish to purchase or attend the offered services and activities.

- 1) Library fines and other charges made for the loss, misuse, or destruction of school property (*e.g.*, musical instruments;
- 2) Charges for the purchase of class rings, yearbooks, pictures, diploma covers or similar items;
- 3) Charges for optional travel undertaken by a school club or group of students outside school hours (*e.g.*, a trip to Spain by the Spanish Club or a Senior Class trip);
- 4) Charges for admission to school dances, athletic events or other social events; and
- 5) Optional community service programs for which fees are charges (*e.g.*, preschool, before and after school childcare, recreation programs).

In addition, it is important to note that the *School Code* requires a school board to adopt written policies and procedures for the waiver of fees for children of parents unable to afford such fees. 105 ILCS 5/10-20.13.

Our general advice to client districts with respect to student fees charges is to review annually the underlying costs of books, materials, equipment, and services to ensure that the fee amount to be charged is reasonably related to the district's expenditures for these non-instructional items.

If you have any other questions concerning the establishment and enforcement of student fees, please do not hesitate to call.

Sincerely,

HODGES, LOIZZI, EISENHAMMER,
RODICK & KOHN LLP

Terry L. Hodges

hlerk#258647

Illinois School Code - Student Fees

105 ILCS 5/10-20) (from Ch. 122, par. 10-20)

Sec. 10-20. Powers of school board. The school board has the powers enumerated in the Sections of this Article following this Section. This enumeration of powers is not exclusive, but the board may exercise all other powers not inconsistent with this Act that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board. This grant of powers does not release a school board from any duty imposed upon it by this Act or any other law.

(Source: P.A. 88-670, eff. 12-2-94; 89-159, eff. 1-1-96.)

105 ILCS 5/10-20.5) (from Ch. 122, par. 10-20.5)

Sec. 10-20.5. Rules. To adopt and enforce all necessary rules for the management and government of the public schools of their district. Rules adopted by the school board shall be filed for public inspection in the administrative office of the district.

(Source: P.A. 81-1003.)

(105 ILCS 5/2-3.96) (from Ch. 122, par. 2-3.96)

Sec. 2-3.96. Waiver of school fees. The State Board of Education shall promulgate regulations governing waiver of school fees authorized in Sections 10-20.13 and 34-21.6. Board regulations shall require that each school district adopt written policies for the administration of the waiver of school fees. Such policies shall include, but not be limited to: standards for determination of eligibility, procedures for notice to parents and procedures for resolving disputes regarding the administration of the waiver of school fees.

(Source: P.A. 86-195; 86-1028.)

(105 ILCS 5/10-20.13) (from Ch. 122, par. 10-20.13)

Sec. 10-20.13. Textbooks for children of parents unable to buy them and other fees.

(a) To purchase, at the expense of the district, a sufficient number of textbooks for children whose parents are unable to buy them, including but not limited to children living in households that meet the free lunch or breakfast eligibility guidelines established by the federal government pursuant to Section 1758 of the federal Richard B. Russell National School Lunch Act (42 U.S.C. 1758; 7 C.F.R. 245 et seq.), subject to verification as set forth in subsection (c) of this Section. Such textbooks shall be loaned only, and the directors shall require the teacher to see that they are properly cared for and returned at the end of each term of school.

(b) To waive all fees assessed by the district on children whose parents are unable to afford them, including but not limited to children living in households that meet the free lunch or breakfast eligibility guidelines established by the federal government pursuant to Section 1758 of the federal Richard B. Russell National School Lunch Act (42 U.S.C. 1758; 7 C.F.R. 245 et seq.), subject to verification as set forth in subsection (c) of this Section. The school board shall adopt written policies and procedures for such waiver of fees in accordance with regulations promulgated by the State Board of

Education.

(c) Any school board that participates in a federally funded, school-based child nutrition program and uses a student's application for, eligibility for, or participation in the federally funded, school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R. 245 et seq.) as the basis for waiving fees assessed by the school district must follow the verification requirements of the federally funded, school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R. 245.6a).

A school board that establishes a process for the determination of eligibility for waiver of fees assessed by the school district that is completely independent of a student's application for, eligibility for, or participation in a federally funded, school-based child nutrition program may provide for fee waiver verification no more often than every 60 calendar days. Information obtained during the independent, fee waiver verification process indicating that the student does not meet free lunch or breakfast eligibility guidelines may be used to deny the waiver of the student's fees, provided that any information obtained through this independent process for determining or verifying eligibility for fee waivers shall not be used to determine or verify eligibility for any federally funded, school-based child nutrition program.

(Source: P.A. 96-360, eff. 9-1-09.)

West's Illinois Administrative Code**Title 23. Education and Cultural Resources****Subtitle A. Education****Chapter I. State Board of Education****Subchapter A. Public School Recognition****Part 1. Public Schools Evaluation, Recognition and Supervision (Refs & Annos)****Subpart B. School Governance****23 Ill. Adm. Code 1.245****1.245. Waiver of School Fees****Currentness**

This Section provides the rules required by Section 2-3.96 of the School Code under which each school district is required to adopt a written policy for the waiver of school fees as required by Sections 10-20.13 and 34-21.6 of the School Code [105 ILCS 5/10-20.13 and 34-21.6].

a) For the purposes of this Section “school fees” or “fees” means any monetary charge collected by a public school or public school district from a student or the parents or guardian of a student as a prerequisite for the student's participation in any curricular or extracurricular program of the school or school district. A school or school district does not impose a “fee” when it requires that a student provide his or her own ordinary supplies or materials (e.g., pencil, paper, notebooks), which are necessary to participate in any curricular or extracurricular program.

1) “School fees” include, but are not limited to, the following:

A) All charges for required textbooks and instructional materials.

B) All charges and deposits collected by a school for use of school property (e.g., locks, towels, laboratory equipment).

C) Charges for field trips made during school hours, or made after school hours if the field trip is a required or customary part of a class or extracurricular activity (e.g.,

annually scheduled trips to museums, concerts, places of business and industry or field trips related to instruction in social studies, the fine arts, career/vocational education or the sciences).

D) Charges or deposits for uniforms or equipment related to varsity and intramural sports, or to fine arts programs.

E) Charges for supplies required for a particular class (e.g., shop or home economics materials, laboratory or art supplies).

F) Graduation fees (e.g., caps, gowns).

G) School records fees.

H) School health services fees.

I) Driver's education fees assessed pursuant to Section 27-24.2 of the School Code [105 ILCS 5/27-24.2].

2) "School fees" do not include:

A) Library fines and other charges made for the loss, misuse, or destruction of school property (e.g., musical instruments).

B) Charges for the purchase of class rings, yearbooks, pictures, diploma covers or similar items.

C) Charges for optional travel undertaken by a school club or group of students outside of school hours (e.g., a trip to Spain by the Spanish club or a senior class trip).

D) Charges for admission to school dances, athletic events or other social events.

E) Optional community service programs for which fees are charged (e.g., preschool, before- and after-school child care, recreation programs).

b) School boards that do not charge school fees must adopt a policy so stating. Parents must be notified of this policy as provided in this Section.

c) School boards that charge school fees must adopt a policy and procedures containing at least the following elements:

1) Eligibility Criteria

A) Eligibility criteria must include a waiver of fees for all students who qualify for free lunches or breakfasts under the School Breakfast and Lunch Program Act [105 ILCS 125]. Students must meet the income requirements of the program but need not participate in order to receive a waiver of school fees.

B) Eligibility criteria must also include a description of other extenuating circumstances under which the district will grant a waiver of school fees. Examples include students who are eligible to receive reduced-price lunch or breakfast; very significant loss of income due to severe illness or injury in the family or unusual expenses such as fire, flood, or storm damage; or similar emergency situations that the district determines to include in its policy.

2) Notification of parents

A) The district's policy for the waiver of school fees shall be communicated in writing to the parents of all students enrolling in the district for the first time. A fee waiver application form also may be included with this notice when it is sent to parents. The notification must be in English or the home language of the parents if it is needed to ensure their understanding of the district's policy (if translation of the notice is not feasible, the use of interpreters is permitted, e.g., other students or neighbors). The notice shall at least describe:

i) the district's policy, including the criteria and other circumstances under which the district will waive school fees;

ii) the fees subject to waiver under the district's policy;

iii) the procedure to be used by parents in applying for a waiver of school fees, including the availability of forms that may be used to request a fee waiver and the documents whose use is required by the school district in verifying income as permitted under subsection (d) of this Section; and

iv) the procedure to be used by parents in resolving disputes concerning the waiver of school fees.

B) The district's policy also shall provide that the first bill or notice of each school year sent to parents who owe fees shall state:

i) the district waives fees for persons unable to afford them in accordance with its policy; and

ii) the procedure for applying for a fee waiver, or the name, address and telephone number of the person to contact for information concerning a fee waiver.

3) Procedures for the resolution of disputes

A) The district's policy must provide that if it denies a request for a fee waiver, then it shall mail a copy of its decision to the parents within 30 calendar days after receipt of the request. The decision shall state the reason for the denial and shall inform the parents of their right to appeal, including the process and timelines for that action. The denial notice shall also include a statement informing the parents that they may reapply for a waiver any time during the school year, if circumstances change.

B) An appeal shall be decided within 30 calendar days after the receipt of the parents' request for an appeal. Parents shall have the right to meet with the person who will

decide the appeal in order to explain why the fee waiver should be granted. The person who decides the appeal shall not be the person who initially denied the fee waiver or a subordinate of this person. If the appeal is denied, then the district shall mail a copy of its decision to the parents. The decision shall state the reason for the denial.

C) No fee shall be collected from any parent who is seeking a fee waiver in accordance with the district's policy until the district has acted on the initial request or appeal (if any is made), and the parents have been notified of its decision.

d) A school district may make reasonable requirements for verifying a family's income (e.g., payroll stubs, tax returns, evidence of receipt of food stamps or Temporary Assistance for Needy Families) in accordance with the restrictions set forth in Sections 10-20.13 and 34-21.6 of the School Code. If a student receiving a waiver of school fees is found to be no longer eligible during the school year, then the district shall charge the student a prorated amount based upon the number of school days remaining in the school year. The process for proration shall be set forth in the district's fee waiver policy adopted in accordance with subsection (c) of this Section.

e) If the fee waiver policy and/or procedures are substantively amended, then parents of students enrolled in the district must be notified in writing within 30 calendar days following the adoption of the amendments.

f) School records that identify individual students as applicants for or recipients of fee waivers are subject to the Illinois School Student Records Act [105 ILCS 10]. Information from such records is confidential and may be disclosed only as provided in the Act.

g) No discrimination or punishment of any kind, including the lowering of grades or exclusion from classes, may be exercised against a student whose parents or guardians are unable to purchase required textbooks or instructional materials or to pay required fees [105 ILCS 5/28-19.2(a)].

Credits

(Source: Amended at 34 Ill. Reg. 2959, effective February 18, 2010)

Current through rules published in the Illinois Register dated December 11, 2015.

23 ILAC § 1.245, 23 IL ADC 1.245

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Declined to Follow by Randolph County Bd. of Educ. v. Adams, W.Va., December 14, 1995

47 Ill.2d 480
Supreme Court of Illinois.

Paul E. HAMER, Appellant,

v.

BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 109, Appellee.

No. 43028. | Dec. 4, 1970. | Rehearing Denied Jan. 27, 1971.

Proceeding by parent for declaratory judgment that certain sections of School Code of 1961 were unconstitutional. The Circuit Court, Lake County, Minard E. Hulse, J., dismissed the complaint, and plaintiff appealed. The Supreme Court, Underwood, C.J., held that constitutional provision giving right to free common school education did not prohibit legislature from authorizing school boards to purchase textbooks and rent them to pupils.

Affirmed.

See also 264 N.E.2d 420.

Attorneys and Law Firms***481 **617** Paul E. Hamer, Northbrook, for appellant.

Ralph Miller, Allyn J. Franke and Norman & Billick, Chicago, for appellee.

Opinion

UNDERWOOD, Chief Justice.

Paul E. Hamer filed his complaint in the circuit court of Lake County for a declaratory judgment that sections 10—20.13, 10—22.25 and 34—8 of the School Code of 1961 (Ill.Rev.Stat.1969, ch. 122, pars. 10—20.13, 10—22.25 and 34—8) are unconstitutional. The court dismissed the complaint on motion of defendant Board of Education of School District No. 109, Lake County, Illinois. Hamer appeals from that order pursuant to Rule 302, Ill.Rev.Stat.1969, c. 110A, s 302.

Section 10—20.13 provides in part that the school board has the duty ‘to purchase, at the expense of the district, a sufficient number of textbooks for children whose parents are unable to buy them.’ Section 10—22.25 provides that the school board shall have the power ‘To purchase textbooks

and rent them to the pupils.’ Section 34—8 provides ***482** in part that the board of education in cities having a population exceeding 500,000 ‘may furnish free textbooks to pupils and may publish its own textbooks and manufacture its own apparatus, equipment and supplies.’

****618** The complaint alleges that Hamer is a resident of School District No. 109 and has four children attending schools in the district. In August 1969 he was asked to pay a textbook rental fee for each of his children attending school and told that if he had a problem making the payment, he could work out a confidential arrangement with the treasurer of the district. Although Hamer did not pay the textbook rental or make any arrangement with the district treasurer, the children were supplied with textbooks at the beginning of the 1969—1970 school year. As the school year progressed and the failure to pay the textbook rental or make the confidential arrangement with the treasurer continued, the textbooks were taken from the children. Hamer then instituted this action against the school board.

The constitutional attacks on sections 10—20.13, 10—22.25 and 34—8 and the action of the school board are numerous and involved. They concern the first amendment (right of assembly), the fourth amendment (search and seizure), and the fourteenth amendment (due process and equal protection of the laws) of the Federal constitution; sections 1 (right to privacy), 2 (due process), 6 (search and seizure), 14 (law granting special privileges), 17 (right of assembly), 19 (right to remedy and justice), and 20 (recurrence to fundamental principles) of article II; article III (distribution of powers); sections 22 (special laws prohibited) and 23 (release of public debts prohibited) of article IV; section 1 (right to free common school education) of article VIII; and sections 1, 2, 3, 9 and 10 (taxation) of article IX of the Illinois constitution. It is unnecessary to further detail these contentions because most of them simply are not properly before us.

[1] The complaint does not allege that plaintiff cannot afford ***483** to pay the textbook rental or purchase the textbooks. Thus, he does not bring himself within the operation of section 10—20.13 and he has not been adversely affected by it. He argues, nevertheless, that as a resident and taxpayer of the district, he has standing to challenge its constitutionality, even though he is not affected by the section except as a taxpayer. This may be true, but he did not bring the action as a taxpayer. Furthermore, the complaint does not allege that the school board has bought textbooks and loaned them to children whose parents could not buy them and consequently affected him as a taxpayer.

[2] What we have just stated with respect to section 10—20.13, also applies to plaintiff’s standing to question the constitutionality of section 34—8. Since defendant is not a city having a population exceeding 500,000, plaintiff is not affected by section 34—8 as a taxpayer or otherwise. Furthermore, his principal attack on section 34—8 is that permitting the Board of Education of the City of Chicago to issue free textbooks without a referendum, while permitting all other school districts to issue free textbooks only after being authorized by a referendum (see Ill.Rev.Stat.1969, ch. 122, par. 28—14) constitutes special legislation in violation of section 22 of article IV of our constitution. Plaintiff has not alleged any facts showing that the legislative authority to issue

free textbooks without a referendum in cities with a population of over 500,000 is based on an unreasonable classification and we have recently found this classification to be reasonable with respect to various school matters. See *Latham v. Board of Education*, 31 Ill.2d 178, 201 N.E.2d 111.

This brings us to the real question raised by this appeal. It is argued that charging pupils for the use of textbooks violates section 1 of article VIII of our constitution which provides: 'The general assembly shall provide a thorough and efficient system of free schools, whereby all children of this state may receive a good common school education.' In support of this argument plaintiff cites ***484** *Paulson v. Minidoka County School District No. 331*, 93 Idaho 469, 463 P.2d 935, and *Bond v. Public Schools of Ann Arbor School District*, 383 Mich. 693, 178 N.W.2d 484.

****619** In *Paulson* the Minidoka County School District refused to furnish the State university a transcript of courses studied and grades achieved for one of its high school graduates because the graduate had not paid the \$12.50 'textbook fees' and the \$12.50 'school activity fees' while he was attending high school. Section 1 of article 9 of the 1890 Idaho constitution provides ' * * it shall be the duty of the legislature of Idaho, to establish and maintain a general, uniform and thorough system of public, free common schools.' While indicating that school districts could require 'reasonable deposits' from students as protection against 'extraordinary wear and tear or damage to school books', the Idaho Supreme Court held that the 'textbook fees' violated the free school provision of the Idaho Constitution. The reasoning of the Court was 'Textbooks are necessary elements of any school's activity. They represent a fixed expense peculiar to education, the benefits from which inure to every student in equal proportion (ignoring differences in ability and motivation) solely as a function of his being a student. Unlike pencils and paper, the student has no choice in the quality or quantity of textbooks he will use if he is to earn his education. He will use exactly the books, prescribed by the school authorities, that his classmates use; and no voluntary act of his can obviate the need for books nor lessen their expense. School books are, thus, indistinguishable from other fixed educational expense items such as school building maintenance or teachers' salaries. The appellants may not charge students for items because the common schools are to be 'free as our constitution requires'.' 93 Idaho 469, 463 P.2d 935, 938—939.

In *Bond* the Supreme Court of Michigan was asked to determine whether the elementary and secondary schools of that State could compel students to furnish textbooks and ***485** supplies at their own expense when article VIII, section 2 of the 1963 Michigan constitution provides: 'The legislature shall maintain and support a system of free public elementary and secondary schools as defined by law.' The Michigan court quoted and adopted the rationale of the Idaho court in holding the Michigan constitutional provision for free public elementary and secondary schools prohibited the schools from collecting fees for textbooks and school supplies. However, it seems to us significant that there were substantial changes in the educational provisions of the pre-1963 Michigan constitution as contrasted with the 1963 constitutional provisions above quoted. The earlier provisions had required only that 'The legislature shall continue a system of

primary schools, whereby every school district in the state shall provide for the education of its pupils Without charge for tuition.’ (Emphasis added.)

This court expressed a contrary opinion in *Segar v. Board of Education of School District of City of Rockford*, 317 Ill. 418, 148 N.E. 289. In that case the voters of the school district had approved a proposition to issue free textbooks pursuant to the Free Text-book Act. (Laws of 1919, p. 915.) The board of education passed a resolution requiring a deposit from the students which was to be refunded if the books were returned in ‘reasonably good condition.’ A Mandamus action was brought against the board to compel the issuance of the textbooks without requiring the deposit. In rejecting the contention that the book deposit violated section 1 of article VIII, this court stated: ‘While they (plaintiffs) do not point out in what respect this section of the constitution is transgressed, we assume it is their position that provision for a system of free schools is not made until textbooks are provided at public expense for the use of pupils attending the public schools. No authority is cited in support of such a contention, and we are of the opinion that none can be found. The authorities seem to be uniform that a board of education has no power to furnish textbooks *486 to the pupils at public expense without specific authority so to do. Annotations, 17 A.L.R. 299; 45 L.R.A. (N.S.) 972. A system of schools which permits all persons of school age residing in the district to attend classes and receive instruction in the subjects taught, without a tuition charge, **620 provides free schools, and the fact that the parents of pupils financially able to do so are required to provide their children with text-books, writing materials and other supplies required for the personal use of such pupils does not change the character of the school.’ 317 Ill. 418, 421, 148 N.E. 289, 291.

The statement in *Segar* that there was no authority for the contention that a constitutional provision for ‘free schools’ means that textbooks must be furnished to all students free of charge appears to have been an accurate statement in 1925 when the decision was rendered. The Idaho decision to the contrary was decided in 1970 without any citation of authority and the Michigan decision, also to the contrary, was also decided in 1970 with only the Idaho decision cited as authority.

[3] In determining the intention and purpose of a constitutional provision, this court will look to the natural and popular meaning of the language used as it was understood at the time the constitution was adopted. *American Aberdeen-Angus Breeders' Association v. Fullerton*, 325 Ill. 323, 328, 156 N.E. 314.

The constitutional convention in August of 1818 passed an ordinance (Laws of 1819, App., p. 21) accepting the Enabling Act of Congress (3 U.S. St. at Large, 428) which made provision for setting aside certain land for school use and granted to the State a percentage of the proceeds from the sale of land for the encouragement of learning, but the constitution of 1818 contained no provision concerning education. The first authorization for the levying of a tax of any kind for the support of a public school occurred when the second General Assembly granted a petition by the inhabitants

of the Town of Alton. (Laws of 1821, p. 39.) The next General Assembly repealed the section of the act authorizing *487 the taxing of town lots for public education. Laws of 1823, p. 147.

The first effort to establish a system of free schools in the State was made by the fourth General Assembly when it passed 'An Act providing for the establishment of free schools,' approved January 15, 1825. (Laws of 1825, p. 121.) Reaction to this law was immediate and the next General Assembly amended it to provide that 'No person shall hereafter be taxed for the support of any free school in this State unless by his own free will and consent first had and obtained in writing.' (Laws of 1827, p. 259.) The real strength of the reactionary movement to free public schools can be appreciated, however, by an examination of the school law of 1841. (Laws of 1841, p. 259.) That law with its 109 sections completely omits any provision for local taxation.

The constitution of 1848, like the constitution of 1818, did nothing to further the cause for a system of free common schools and the advocates of the free school movement had to wait another 7 years before their efforts produced the Free School Law of 1855. (Laws of 1855, p. 51.) A much more detailed account of the free school movement and its leaders can be found in Cook, Educational History of Illinois (1911) and Moses, Illinois Historical and Statistical (1892) pp. 988—1012. It is sufficient for our purposes to note that the concept of a free common school did not enjoy the broad popular support it does now and that if it included anything more than furnishing a schoolhouse and teachers at public expense, it was not the furnishing of textbooks to the students.

At the time of the constitutional convention in 1870, the only provision of the school law concerning textbooks was that the school directors could direct 'what textbooks shall be used in their respective schools.' (Laws of 1865, p. 119, sec. 18.) Dr. Newton Bateman, the Superintendent of Public Instruction from 1859 to 1875 (except for a two-year period *488 from January 1863 to January 1865), is the recognized authority on school affairs during the period of time with which we are dealing. (See Cook, Educational History of Illinois, pp. 114—140.) Dr. Bateman in the 1871 edition **621 of his book, School Laws and Common School Decisions of the State of Illinois, at pages 86—87, comments on this provision of the law of 1865, which was still in effect at the time his book was published, and states: 'Uniformity of text-books, in the schools of a district, is absolutely indispensable. Different books in the same branch of study should in no case be allowed. * * * In selecting text-books, directors will, of course, avail themselves of, and be largely governed by, the superior judgment and experience of the teacher. But uniformity must be insisted upon, and, when the best practical selections are made, they should not be changed for light reasons. Frequent change of text-books is a serious expense and a source of much annoyance and irritation to parents and should be avoided.'

[4] The purpose of section 1 of article VIII was to compel the General Assembly to retain and perpetuate, as a minimum, the system of free schools that had already been developed. (Debates of Constitutional Convention 1869—70, pp. 1733 and 1734.) Since section 1 contemplated retention and perpetuation of the existing free public school system which required students to furnish their own textbooks, there was no discussion of textbooks when section 1 was being considered. When

section 4 of article VIII (a conflict of interest provision which prohibits school officers from being interested in school contracts) was being considered, however, there was considerable discussion of textbooks. During the debate, Delegate William H. Underwood stated: 'Now, sir, it is a notorious complaint that agents for books and school apparatus go around and get the teachers and school directors to introduce their books and school apparatus into the schools, giving them a commission. The teacher or school directors' duty is to get the very best books *489 and apparatus possible. * * * Parents have been compelled to purchase books unnecessarily, and sometimes worthless books, at great expense.' Debates of Constitutional Convention 1869—70, p. 1748.

Following the adoption and ratification of the constitution of 1870, the General Assembly passed 'An Act to establish and maintain a system of free schools' (Laws of 1871—2, p. 700) which was a complete code and repealed all former acts respecting schools. (Powell v. Board of Education, 97 Ill. 375.) Section 48 of the new act gave school directors authority to direct 'what text-books and apparatus shall be used in the several schools'—the same power they had prior to the constitution of 1870 (Laws of 1865, p. 119, sec. 18)—and heeding the advice of Dr. Bateman on uniformity and avoiding frequent changes, also provided that the directors shall 'strictly enforce uniformity of text-books therein, but shall not permit text-books to be changed oftener than once in four years.' In construing the new provision this court stated: 'The reason for prohibiting the change of textbooks oftener than once in four years undoubtedly was to save expense to parents of small means.' (People ex rel. Mack v. Board of Education of Aurora, 175 Ill. 9, 17, 51 N.E. 633, 635.) The act of 1872, of course, made no provision for furnishing textbooks to students at public expense.

[5] Our examination of the contemporary statutes, writings and well-known practices convinces us that the popular and natural meaning of the term 'free schools' at the time the constitution was adopted by the constitutional convention and ratified by the voters did not include furnishing textbooks to the students at public expense. Nor does the fact that the Idaho court found textbooks to be 'necessary elements of any school's activity' and the Michigan court found them to be an 'integral fundamental part of the elementary and secondary education' alter our conclusion. Textbooks were just as 'necessary' and 'integral' in 1870 *490 as they are in 1970. Dr. John A. Nietz in *Old Textbooks* (1961), p. 1, discusses the textbooks used in the common schools from colonial days to 1900 and observes: 'An analysis of the school textbooks used in the past reveals a truer history of what was taught in the earliest **622 schools than does a study of past educational theories alone. This is particularly true for the early American schools. The teachers in the early days of our country were so meagerly trained and educated that they depended strongly on the textbooks for what to teach and how to teach. Most authorities agree that in the United States the old textbooks in use in any particular school largely constituted the school's course of study.'

[6] [7] We hold that section 1 of article VIII of our constitution does not prohibit the legislature from authorizing school boards to purchase textbooks and rent them to pupils. It does, of course, have the power to direct school boards to issue textbooks to students free of charge, but our constitution does not require it.

As we have previously indicated, the plaintiff has advanced numerous constitutional attacks against several sections of the School Code of 1961 and the action of the defendant school board. He has also asserted several statutory violations by the school board and an erroneous ruling by the trial court. To repeat all these arguments and answer them would unduly prolong this opinion. We have dealt at length with the only substantial question presented. A sufficient answer to the other contentions is that the legislature has the power to authorize defendant to charge a book rental fee and did so, the voters of defendant district did not exercise their statutory right to have defendant issue textbooks at public expense, defendant school board established a book rental fee, and it is not alleged that the fee is unreasonable or that plaintiff cannot pay the fee. We are of the opinion, therefore, that the trial court properly dismissed the complaint.

***491** The judgment of the circuit court of Lake County is accordingly affirmed.

Judgment affirmed.

All Citations

47 Ill.2d 480, 265 N.E.2d 616

63 Ill.2d 10
Supreme Court of Illinois.

William C. BECK, Appellant,
v.

The BOARD OF EDUCATION OF HARLEM
CONSOLIDATED SCHOOL DISTRICT NO. 122, Appellee.

No. 47567. | March 18, 1976.

Students' father instituted action against school board challenging fees charged for school supplies and materials furnished his children were illegal. The Circuit Court, Winnebago County, William R. Nash, J., rendered judgment in favor of father, and school board appealed. The Appellate Court, 27 Ill.App.3d 4, 325 N.E.2d 640, reversed, and father petitioned for leave to appeal. The Supreme Court, Goldenhersh, J., held that workbooks and other educational materials were not textbooks and that free textbook provisions of school code therefore did not preclude school board's charging students' father a fee for supplying students with such materials; under section of school code authorizing board to adopt and enforce all necessary rules, board was authorized to purchase educational materials and supplies and to apportion costs among pupils, charging those parents who were financially able to pay.

Judgment of Appellate Court affirmed.

Attorneys and Law Firms

****440 *12** Balsley, Roper & Swanson, Loves Park (William L. Basley, Loves Park, of counsel), for appellant.

Williams, McCarthy, Kinley, Rudy & Picha, Rockford (John R. Kinley and Russell D. Anderson, Rockford, of counsel), for appellee.

Opinion

***13** GOLDENHERSH, Justice.

Defendant, Board of Education of Harlem Consolidated School District No. 122, appealed from the declaratory judgment and ****441** decree of the circuit court of Winnebago County holding that defendant was without authority to collect fees charged for school supplies and materials furnished to the children of plaintiff, William C. Beck, and enjoining the collection of such fees.

The appellate court reversed (27 Ill.App.3d 4, 325 N.E.2d 640), and we allowed plaintiff's petition for leave to appeal.

In his complaint for declaratory judgment and other relief plaintiff alleged that he was the father of four children attending schools conducted by defendant; that defendant had adopted a resolution requiring students to pay certain fees for services and materials; that in 1938 the voters of the district had by referendum adopted the provisions of the free text book act (see Ill.Rev.Stat.1937, ch. 122, pars. 515 through 520 (now ch. 122, pars. 28—14 through 28—19)), and that the defendant was without authority to charge the pupils the flat rate mandatory fee imposed for workbooks, duplicating paper and masters, magazine subscriptions, dictionaries, paperback books, maps and atlases. Plaintiff also alleged that the imposition of the fees was proscribed by section 1 of article X of the Illinois Constitution, which, *Inter alia*, provides that 'Education in public schools through the secondary level shall be free.'

[1] The case was submitted to the circuit court on a stipulation of facts and several exhibits. The materials and supplies for which the fees were charged are described in the appellate court opinion (27 Ill.App.3d 4, 6—7, 325 N.E.2d 640), and the description need not be repeated here.

Section 28—15 of the Illinois School Code (Ill.Rev.Stat.1973, ch. 122, par. 28—15) in pertinent part provided:

'Sec. 28—15. Textbooks provided and loaned to pupils—Sale to pupils. The governing body of every school district having voted in favor of furnishing free textbooks * * * shall provide, at the expense of the district, textbooks for use in the public schools and loan them free to the pupils. Textbooks so furnished shall remain the property of the school district. The governing body shall also provide for the sale of such textbooks at cost to pupils of the schools in the district wishing to purchase them for their own use.'

Plaintiff contends that workbooks, duplicating papers, magazine subscriptions, dictionaries, paperback books, maps and atlases were textbooks within the meaning of the statute. He argues that the circuit court correctly held that the printed materials are 'useful and beneficial study tools in the educational process' and when 'chosen by defendant to be used for that purpose they become textbooks.'

Defendant contends that the appellate court correctly held 'that in the absence of a contrary statutory definition, a word used in a statute is to have its popularly *14 understood meaning (Bowman v. Armour & Co., (1959), 17 Ill.2d 43, 52, 160 N.E.2d 753), or commonly accepted dictionary interpretation. (Husser v. Fouth (1944), 386 Ill. 188, 194, 53 N.E.2d 949). Webster's New International Dictionary (2d ed. 1934) defines a textbook as 'a book containing a presentation of the principles of a subject, intended to be studied by the pupil and used as a basis of instruction

by the teacher.' The word is popularly understood to describe a Book, rather than anything of lesser substantiality or permanence, which Expounds the principles of a field of knowledge, rather than merely presenting exercises or questions, and which is used as the Basis of a course of study, and not as a general reference work or a reference work on a subsidiary topic.

'A map, we believe is not ordinarily considered to be a textbook, nor is a collection of maps in an atlas, nor is a dictionary, nor is a 'Weekly Reader' magazine, nor is a sheet of paper or a collection of loose sheets of paper. The workbooks containing problems and exercises and the pamphlet on ****442** selected subjects are also ordinarily considered, we believe, to be not textbooks but just supplementary materials, or teaching aids; it was stipulated that they were used to supplement books which were the standard work or basis for instruction in the particular area. We cannot find that any of the disputed items are 'textbooks,' the cost of which could not be included in the fee charged to the plaintiff's children.' (27 Ill.App.3d 4, 9, 325 N.E.2d 640, 644.) We agree and would note that when the General Assembly has chosen to give the word 'textbook' a meaning other than its commonly accepted one, it has done so. See, E.g., Ill.Rev.Stat.1973, ch. 122, par. 34—58.

Plaintiff contends that defendant possessed only those powers conferred upon it by statute and that it was without power, express or implied, to collect the fees for the materials and supplies furnished his children. He argues that the only provision in the School Code (Ill.Rev.Stat.1973, ch. 122, par. 1—1 Et seq.) specifically empowering a board of education to charge any type of fee to its pupils was section 10—22.25 (ch. 122, par. 10—22.25), which authorized it to purchase textbooks and rent them to pupils, and, he concludes, the proper construction of its provisions would require us to hold that this charge for textbook rental was the only fee authorized by the School Code. He contends further that the circuit court correctly held that because some of the supplies were used 'for more than one year and * * * by different pupils in varying degrees,' because some of the materials were 'used by teachers and administrators,' although on behalf of each individual student, and because some of the materials and supplies were 'retained as school property,' the mandatory fees 'cannot be differentiated from a tuition charge.' We do not agree.

In Segar v. Board of Education (1925), 317 Ill. 418, 421, 148 N.E. 289, 290, the court said: 'A system of schools, which permits all persons of school age residing in the district to attend classes and receive instruction in the subjects taught, without a tuition charge, provides free schools, and the fact that the parents of pupils financially able to do so are required to provide their children with text-books, writing materials, and other supplies required for the personal use of such pupils does not change the character of the school.' In Hamer v. Board of Education (1970), 47 Ill.2d 480, 265 N.E.2d 616, we traced the development of the concept of 'free schools' in Illinois from statehood in 1818 to 1970 and found that the statement quoted from Segar properly reflected the intent of the Constitution and the relevant statutes.

[2] [3] [4] As we observed in Hamer, parents of pupils financially able to do so have been required to provide their children with textbooks, writing materials and other supplies prescribed by the school board and required for the personal use of the students. (47 Ill.2d 480, 486—90,

265 N.E.2d 616.) Sections 10—20.5 and 10—20.8 of the School Code (*16 Ill.Rev.Stat.1973, ch. 122, pars. 10—20.5 and 10—20.8) respectively authorize the board to adopt and enforce all necessary rules for the management and government of the school, and to direct what branches of study shall be taught and what apparatus shall be used. Under these sections defendant was authorized to require parents financially able to do so to provide their children with educational materials and supplies for use by them or on their behalf. We are of the opinion that defendant was authorized to accomplish the same result by purchasing the necessary materials and supplies, apportioning the cost among the pupils, and charging those parents who were financially able to pay, and we so hold. We also hold that because some of the materials were used by more than one pupil or by a teacher or administrator, or that they might be retained as school property and used for more than one school year did not serve to convert the fee charged into a tuition charge. Tuition is defined as ‘the price of or payment for instruction’ (Webster's Third New International Dictionary (1961)), and, clearly, **443 the fee charged plaintiff's children was not part of the price of, or payment for, instruction.

For the reasons stated the judgment of the appellate court is affirmed.

Judgment affirmed.

All Citations

63 Ill.2d 10, 344 N.E.2d 440

101 Ill.App.3d 187
Appellate Court of Illinois, Second District.

Christopher AMBROIGGIO, a minor by his parent and next friend, Diane Ambroiggio, and Anna Elz and Susan Elz by their parent and next friend Robert Elz, on behalf of themselves and all other members of their class, Plaintiffs-Appellees,

v.

BOARD OF EDUCATION OF SCHOOL DISTRICT NO.
44, DU PAGE COUNTY, Illinois, Defendant-Appellant.

No. 80-842. | Oct. 20, 1981.

Parents of students sought to enjoin board of education from assessment of fee against certain students who used supervised lunchroom services provided by school. The Circuit Court, DuPage County, Robert A. Nolan, J., issued injunction, and board appealed. The Appellate Court, Nash, J., held that: (1) board had implied authority to impose fee to help offset costs of school lunchroom supervision program; (2) imposition of fee in question did not violate constitutional guaranty of free education; and (3) equal protection argument was neither proved nor pleaded.

Reversed.

Unverzagt, J., dissented and filed opinion.

Attorneys and Law Firms

***187 **1028 ***623** Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., Everett Nicholas, Chicago, for defendant-appellant.

Barry H. Sherman, Terrace, for plaintiffs-appellees.

Opinion

NASH, Justice:

Defendant, Board of Education of School District No. 44, DuPage County, appeals from a judgment of the circuit court permanently enjoining it from the assessment of a fee against certain of its students who use the supervised lunchroom services provided by the school. We reverse.

Plaintiffs, Christopher Ambroiggio, Anna Elz and Susan Elz, by their parents and next friends, Diane Ambroiggio and Robert Elz, brought this action to enjoin collection of the lunchroom

supervisory fee of \$15 assessed each term against all children who reside 0.7 of a mile or less from their school and eat their lunches in the school lunchroom. In their complaint plaintiffs alleged the fee was not authorized by The School *188 Code (Ill.Rev.Stat.1979, ch. 122, pars. 1-1 et seq.), and also violated the free education clause of the state constitution (Ill.Const.1970, art. X, s 1), which provides that “(e)ducation in public schools through the secondary level shall be free.” The trial court reasoned that if the supervised lunchroom program, which may be used only by students paying the requisite fee, is for an educational purpose then Article 10 of the constitution would bar assessment of the fee. The court also found that if the program was not for educational purposes the fee was unauthorized under the school code. The trial court concluded defendant may not charge a fee for the use of its facilities, or the supervision of the children using the **1029 ***624 facilities, and issued the injunction from which defendant appeals.

Evidence was presented that defendant provides space in its school building for students to eat lunches brought by them and during that period they are supervised by non-certified school personnel. No student is required to participate in the lunch program, but those who do so are placed in two categories. If a child resides more than 0.7 of a mile from school or is provided bus transportation to school he may participate in the program without charge. Those children, including plaintiffs, who reside 0.7 of a mile or less from school and are not transported by a school bus, however, are assessed the \$15 fee if they wish to eat their lunches in the school facilities. The parties agree that defendant has the authority under the School Code to provide a lunchroom supervision program but differ on the question of whether fees may be charged.

[1] The general powers and duties of a school board are set forth in sections 10-20 and 10-22 of the School Code. It is well established that a broad spectrum of implied and incidental powers may be inferred from these express statutory grants. (Beck v. Board of Education of Harlem Consolidated School District No. 122 (1975), 27 Ill.App.3d 4, 8, 325 N.E.2d 640, 643, aff'd (1976), 63 Ill.2d 10, 344 N.E.2d 440; see also Wilson v. Board of Education of Chicago (1908), 233 Ill. 464, 84 N.E. 697; Byerly v. Board of Education of Springfield School District No. 186 of Sangamon County (1978), 65 Ill.App.3d 400, 22 Ill.Dec. 374, 382 N.E.2d 694.) Section 10-20.5 of the School Code permits a Board to adopt and enforce all necessary rules for the management of its schools, and Section 10-22.26 permits a school district to maintain and finance a school lunch program. Section 10-22.34 provides that “(s)chool boards may employ non-teaching personnel * * * for non-teaching duties not requiring instructional judgment or evaluation of pupils” and they may “designate non-certificated persons * * * to serve as supervisors, chaperones or sponsors, on a voluntary or on a compensatory basis for school activities not connected with the academic program of the schools.” Ill.Rev.Stat.1979, ch. 122, par. 10-22.34a.

[2] As defendant has the express power to operate a lunch program and to employ personnel to supervise it, we conclude it has an implied authority *189 to impose a fee to help offset the costs

of the program. See *Beck v. Board of Education of Harlem Consolidated School District No. 122* (1976), 63 Ill.2d 10, 15, 344 N.E.2d 440, 442.

We next consider whether the lunchroom supervision fee imposed by defendant violates the “free education” clause of the Illinois Constitution. (Ill.Const.1970, art. X, s 1.) The parties agree the issue as formed by the facts of this case has not been directly considered by the reviewing courts of this state or other jurisdictions. (See Annot., 41 A.L.R.3d 752 (1972).) In Illinois, similar litigation has centered on unsuccessful challenges of fees imposed by school boards for textbooks, towels, locker rental and school supplies. See *Beck v. Board of Education of Harlem Consolidated School District No. 122* (1976), 63 Ill.2d 10, 344 N.E.2d 440.

[3] In *Hamer v. Board of Education of School District No. 109* (1973), 9 Ill.App.3d 663, 292 N.E.2d 569, this court referred to the record of the Constitutional Convention:

“In discussing the proposed new constitutional article pertaining to ‘free schools’ we find the Educational Committee member stated at page 765:

‘ * * * The first part states that education in the public schools through the secondary level shall be free. This sentence picks up the 1870 Constitutional requirement of free schools. *
* * However, we recognize that schools are not totally free; through tradition and practice, this has been interpreted to mean tuition-free and not totally free public education, and this is the intent of this third paragraph.’

In response to a query as to what the word ‘free’ included, the following colloquy took place, as set forth at page 767:

****1030 ***625** ‘ * * * Is it your intention that the word “free” includes anything other than tuition for the elementary and secondary schools?

Mr. FOGAL: You may recall earlier in our committee deliberations we voted tentatively to strike “free”, since most of us recognize that we don't have and as far as I know we have never had totally free public schools; and we considered that earlier position. We felt that tradition will continue, probably, to interpret “free public education” as we always have, and it's open to either provide totally free education, whether you are speaking of book fees, book rentals, or PE equipment, or we can continue as we are now, I don't think we have changed it.’ “ (Emphasis added.) (9 Ill.App.3d at 666, 292 N.E.2d at 571-72.)

The reasoning of the Illinois cases as well as those from other jurisdictions distinguish educational services, which must be provided to students tuition-free, from non-educational services and school supplies for which reasonable charges may properly be assessed. See, e. g., ***190** *Sneed v. Greensboro City Board of Education* (1980), 299 N.C. 609, 611 n.1, 264 S.E.2d 106, 109 n.1

and cases cited therein; see also *Granger v. Cascade County School District No. 1* (1972), 159 Mont. 516, 499 P.2d 780.

[4] Plaintiffs contend the lunch program is a part of the educational process carried out by the school as it provides an opportunity for children to socialize, mature emotionally and engage in interpersonal relationships. We are not persuaded, however, that providing a secure place to eat lunch without interference from others can be so considered. The program in issue is not mandatory, although all the children have a lunch period, and it is supervised by non-teaching personnel. It would require strained reasoning to liken defendant's lunchroom supervisory fee to a tuition fee which might be improperly charged for required educational courses or programs. Compare *Norton v. Board of Education of School District No. 16, Hobbs Municipal Schools* (1976), 89 N.M. 470, 553 P.2d 1277 (fee may be imposed for elective school courses, but not for required academic program).

Plaintiffs reliance on *Elliot v. Board of Education of The City of Chicago* (1978), 64 Ill.App.3d 229, 20 Ill.Dec. 928, 380 N.E.2d 1137 is misplaced. There the school board was required to pay the cost of a handicapped student's education in a private school when he was excluded from public school by his handicap. *Elliot* must be distinguished as it was directed to payment of tuition for educational purposes, not to an incidental, non-educational program as in the present case.

[5] We conclude that defendant had the implied power to impose the fee in question and in doing so did not violate the constitutional guarantee of a free education.

[6] [7] Plaintiffs also argue that if defendant was authorized to assess the fee in issue the classification scheme under which it is applied only against children living within 0.7 of a mile from school violates the equal protection clause of the fourteenth amendment. Defendant points out, however, that this constitutional issue was not pleaded in plaintiffs' complaint nor was evidence relating to it offered by either party in the trial court.

It is a basic principle that the issues in a case are framed by the pleadings and a party may not prevail where the proof does not follow the allegations made therein. (*Pioneer Trust & Savings Bank v. County of Cook* (1978), 71 Ill.2d 510, 518, 17 Ill.Dec. 831, 834, 377 N.E.2d 21, 24; *Tonchen v. All-Steel Equipment, Inc.* (1973), 13 Ill.App.3d 454, 467, 300 N.E.2d 616, 625.) "(T)o have evidence without pleading an issue is as fatal as pleading an issue and not supporting it with evidence." (*In re Walton* (1979), 79 Ill.App.3d 485, 487-88, 34 Ill.Dec. 734, 736, 398 N.E.2d 409, 411; see also *Burke v. Burke* (1957), 12 Ill.2d 483, 147 N.E.2d 373.) From our examination of the pleadings and the record of the evidentiary hearing, it is apparent that plaintiffs' equal *191 protection argument suffers from both infirmities in that it was neither proved nor pleaded and we will not consider it further.

****1031 ***626** Accordingly, the judgment of the circuit court of DuPage County is reversed.

Reversed.

SEIDENFELD, P. J., concurs.

UNVERZAGT, Justice, dissenting:

I respectfully dissent from the opinion of the majority. The majority's assertion that providing a secure place to eat lunch without interference from others cannot be considered an educational process is but an ipse dixit.

Leonard Roberts, Superintendent of Schools at School District No. 44, testified that two-thirds of the student body goes home for lunch and one-third of the student body remains in the schools; that students who stay at school for their lunch are supervised by persons employed by the school district for that purpose. They are lay people, non-teachers or non-certified people, in most instances. These persons watch the lunch room while the students are eating, and then watch the playground or some other recreational area between the time the children are finished eating lunch and the time that class is taken up again after lunch. The duties of the lunch-time supervisors are to make sure that the youngsters are able to eat in an atmosphere where they aren't harrassed and where the children can eat and have a reasonably wholesome-type of lunchroom period. The supervisors discipline the children when necessary. When the children are on the playground the supervisors make sure that the youngsters play in an organized way; they make certain no one is injured and resolve any minor student disputes that arise in the process of playing the games. Mr. Roberts characterized this as a baby-sitting service for the youngsters who stay for lunch.

Harold C. Wright, Regional Superintendent of Schools for DuPage County, testified that the District No. 44 lunch room program provides for the further social maturation of students. It helps them to learn to get along with their peers; that is one of the results school administrators hope to accomplish.

It seems to me that supervision of children during the school day, and creating an atmosphere where they are not harrassed and where they have a reasonably wholesome atmosphere, and providing for discipline and play in an organized way, and making sure the children are not injured and minor student disputes are resolved, all in a manner which provides for further social maturation, are "instructional" matters, well within the ***192** educational services and goals of the public school.

The constitution of this State provides:

“ * * * Education in public schools through the secondary level shall be free. * * *.” Illinois Constitution, 1970, art. X, s 1.

In explaining this provision, the Education Committee of the Sixth Illinois Constitutional Convention submitted its proposal which was adopted by the committee as a whole. That proposal included the following:

“The third paragraph contains two parts:

(1) It requires that public schools through the secondary level shall be free. The Committee considers it necessary that the Constitution state, in explicit terms, the obligation of the State to provide free public schools for what has traditionally been considered common school education. * * *.

* * * It would, however, require that whatever educational programs are established as part of the public school system through the secondary level be free of tuition charges for resident pupils.” 6 Record of Proceedings, Sixth Illinois Constitutional Convention 235.

Tuition is defined as “the price of or payment for instruction.” (Webster's Third New International Dictionary 2461 (1966).) It seems to me that the fee charges here in issue can be considered “the price of or payment for instruction”; instruction in the art of civilized living during the noon hour. As such, these fees are prohibited by the constitutional mandate of “free” schools.

****1032 ***627** I agree with the trial judge that a school district undertaking to provide school lunch services may not charge for the use of the facilities or the supervision of the children making use of those facilities.

I would affirm the court below.

All Citations

101 Ill.App.3d 187, 427 N.E.2d 1027, 56 Ill.Dec. 622, 1 Ed. Law Rep. 337

FUNC.	FUND		2015-16 Adopted Budget Object	2015-16 Adopted Budget Object	2015-16 Adopted Budget Object	2015-16 Adopted Budget Object	2015-16 Adopted Budget Object	2015-16 Adopted Budget Object	2015-16 Adopted Budget Object	2015-16 Adopted Budget Object	Extra Fees		
			100	200	300	400	500	600	700	Grants (Deduct)	Received (Deduct)		Total by Function
			Salaries	Benefits	Prof. Services	Supplies	Capital Equip.	Other Object	\$500-\$1,500				
	EDUCATION:												
1110	Elementary Education				\$ 14,080	\$ 236,924			\$ 15,000				\$ 266,004
1111	Response to Intervention				\$ 7,200	\$ 5,970		\$ 9,000		-\$ 9,000			\$ 13,170
1113	Art Program				\$ 1,500	\$ 40,512							\$ 42,012
1114	Band Program				\$ 17,600	\$ 6,200	\$ 10,000	\$ 1,880			-\$ 31,800		\$ 3,880
1114	Band Transportation				\$ 4,000								\$ 4,000
1115	General Music				\$ 5,500	\$ 22,771							\$ 28,271
1116	Physical Ed. Program				\$ 20,700	\$ 32,485							\$ 53,185
1117	Chorus Program												\$ -
1117	Chorus Transportation				\$ 2,000								\$ 2,000
1118	Orchestra Program												\$ -
1119	Foreign Language Program					\$ 21,054							\$ 21,054
1120	Middle School Education				\$ 17,275	\$ 165,027			\$ 16,000				\$ 198,302
1200	Special Education Program				\$ 40,000	\$ 185,000	\$ 30,000			-\$ 50,000			\$ 205,000
1410	Industrial Arts				\$ 1,750	\$ 39,750							\$ 41,500
1412	Family & Consumer Science				\$ 3,000	\$ 23,038							\$ 26,038
1413	Health Program												\$ -
1414	Elective Rotations												\$ -
1510	Clubs				\$ 6,000	\$ 4,400							\$ 10,400
1520	Interscholastics				\$ 5,600	\$ 4,500	\$ 1,000	\$ 2,900			-\$ 23,909		-\$ 9,909
1520	Interscholastics Transportation				\$ 13,100								\$ 13,100
1530	Intramurals												\$ -
1650	Channels of Challenge					\$ 16,985							\$ 16,985
1800	Bilingual Program					\$ 2,500							\$ 2,500
2191	Lunchroom Supervision	\$ 422,500	\$ 200	\$ 21,000	\$ 11,000								\$ 454,700
2550	Bus/Playground Supervision	\$ 65,075	\$ 2,670										\$ 67,745
2550	Reimbursable Field Trips			\$ 6,000									\$ 6,000
	Total Non-Instructional Costs	\$ 487,575	\$ 2,870	\$ 186,305	\$ 818,116	\$ 41,000	\$ 13,780	\$ 31,000	-\$ 59,000	-\$ 55,709			\$ 1,465,937

To: Board of Education
Laurie Heinz, Superintendent

From: Luann Kolstad, Chief School Business Official
Lisa Halverson, Jefferson School Principal
Brian Imhoff, Assistant Business Manager

Date: January 26, 2016

Re: Discussion and Approval of Preschool Fees

Background

District 64's current preschool program at Jefferson School consists of three components:

- State mandated special education preschool – This program is for 3-, 4-, and 5-year old children that are identified as requiring an Individualized Education Program (IEP). They are considered special education students with all the same rights as students in K-8 with an IEP.
- State mandated *Child Find* preschool screening – Parents/guardians bring their child to our *Child Find* process where they are evaluated in a number of areas to determine if they qualify for our preschool program or for other services, such as speech therapy. This program also is for 3-, 4-, and 5-year olds.
- Community preschool – This program is offered to 3-, 4-, and 5-year old children residing within District 64's boundaries and the children of District 64 employees. Registrations are accepted provided there is available space in the preschool program, and parents pay tuition based on the number of days their child is enrolled.

Review of District 64 Preschool Costs

As with all fee-related programs in the District, administration is reviewing the costs associated with the community preschool program with the goal of setting an appropriate tuition rate for 2016-17.

Jefferson School has historically been a highly affordable preschool option for District 64 residents. As evidence, the chart below shows the annual tuition for other local preschools that offer a half-day, five days per week program similar to District 64.

School	Annual Tuition
Mary Seat of Wisdom	\$5,515
Childcare with Confidence	\$5,512
Messiah Lutheran	\$4,599
St. Paul of the Cross	\$4,005
Sugar Plum Tree Day Care	\$3,675
Jefferson School	\$3,344
Christie's Carousel	\$3,159
St. Andrew's Lutheran	Approx. \$3,050
Park Ridge Park District Preschool	\$2,660 (30 weeks)

The District is required to operate the special education preschool program, and the preschool classrooms are a blend of special education students and community students. Therefore, eliminating the community preschool portion of the program would not necessarily reduce personnel-related costs at Jefferson School. In addition, the non-financial benefits of providing early childhood education to students, allowing for positive modeling from same-age/typical peers and operating the program at full capacity have traditionally outweighed the importance of running a program that breaks even.

As the District as a whole looks to the future, we all know that studies show the value of pre-school in a student's success in school. At some point, the District may want to look at increasing the number of students we serve, however, the facilities would need to be updated to accommodate classes. Districts historically have used their pre-school fees to defer the costs of any building changes.

As recommended below, increasing our tuition would put the Jefferson community preschool program more in line with the other local preschools, while still providing critical early learning opportunities to our youngest learners. We continue to monitor our revenue versus expenditures to make sure that the program does not run with a deficit.

Another variable to consider with the current program is that preschool students have the option of enrolling for three, four, or five days of attendance per week. Although 83% of current community preschool students attend only three days per week, the District must staff for all five days to accommodate the remaining community and special education preschool students. It is the belief of the building Principal that students would maximize their preschool experience by attending five days per week. Additionally, it would justify current five-day staffing.

Recommendation for 2016-17

To encourage more students to enroll for four or five days per week in 2016-17, the District is proposing the implementation of a tiered tuition system with a rate increase that is realized over two years as follows:

Schedule	2016-17 Daily Tuition	2016-17 Annual Tuition	2017-18 Daily Tuition	2017-18 Annual Tuition
3 days per week	\$23	\$2,346	\$27	\$2,754
4 days per week	\$22	\$3,080	\$25	\$3,500
5 days per week	\$21	\$3,696	\$23	\$4,048

The increase would represent a 20% - 40% increase in tuition to parents over the two-year period, depending on the number of days per week the student is enrolled. The District's preference is to continue growing our community preschool enrollment. The proposed rate structure would place Jefferson School's tuition more in line with other local preschools, while still being viewed as a more affordable option for parents than the private school preschool programs. Additionally, the District 64 program provides advantages in that we provide greater alignment to kindergarten learning targets/expectations and our staff is highly trained/skilled in early childhood, special education and EL. Because our related services are integrated into the blended preschool classroom, all students benefit from their expertise.

At this time, the District is recommending that the Board approve the tuition for 2016-17 only. The District will reanalyze the program next winter and provide the Board with a similar report prior to recommending tuition rates or any other changes to the program for the 2017-18 school year.

ACTION ITEM 16-01-3

I move that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois, approve tuition for the 2016-17 Jefferson School community preschool program at \$23 per day for 3 days per week, \$22 per day for 4 days per week, and \$21 per day for 5 days per week.

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

1/26/16

To: Board of Education
Laurie Heinz, Superintendent

From: Luann Kolstad, Chief School Business Official

Date: January 26, 2016

Subject: Discussion: K-5 Hot Lunch Program

Background

The elementary school PTO/As have been offering hot lunches for purchase to our grade school students for many years as a service to our families. The optional program varies at each school as to the number of days, menu, pricing, vendors, and so on. The PTO/As have done a great job providing this service and are filling a definite need, as evidenced by the popularity of the programs. However, as with many ventures, things evolve and change.

District 64 currently holds a license on behalf of the PTO/As that allows them to serve hot lunches at the elementary schools. Tim Schwartz from the Park Ridge Health Department has conducted food service inspections to make sure we are in compliance with rules and regulations. Due to the annual turnover of the PTO/A leadership and parent volunteers, Mr. Schwartz has continued to find violations. In discussions with Superintendent Heinz and PTO/A leaders, he has requested that District 64 take a firm leadership role in ensuring that the PTO/A volunteers are in compliance with local health department requirements for their hot lunch programs.

In addition to the challenge of complying with this mandate, PTO/As are reporting that it is becoming increasingly difficult to find volunteers to work at lunchtime every day. This exacerbates the problem of providing training and consistent oversight of the necessary food safety procedures.

Extending District 64 Food Service to Elementary Schools

Currently, District 64 offers a hot lunch program only at the two middle schools. We have been working with Arbor, our current middle school food management company, to consider how a hot lunch program might most efficiently and economically be implemented at the elementary buildings. Our planning has included visits to review the physical structure of our elementary kitchens. We have found that each school has unique challenges.

We are proposing that Emerson Middle School become the central “production kitchen” for all food served at the elementary schools. Food would then be transported from Emerson to the

elementary schools where it would be prepped and served by Arbor employees. This alleviates the need to change our elementary kitchens to production kitchens, which would be cost prohibitive. It also ensures that food will be handled in compliance with Park Ridge food safety regulations and industry standards.

After meeting with Arbor and Mr. Schwartz, we have identified the costs of the required equipment needed to operate such a program:

Elementary Buildings:

Portable Hot Tables with Sneeze Guard	\$ 20,678
Portable Cold Tables with Sneeze Guard	\$ 37,584
Hot Food Holding Cabinets	\$ 10,398
Stainless Steel Shelving & Smallwares	\$ 15,000

Emerson Kitchen:

Freezer/Cooler	\$ 25,000
Hi Cube Van w/Electric Liftgate	<u>\$ 40,000</u>
	\$148,660

The budget above includes material costs for removal of the current cabinetry from the elementary school kitchens and replacement with stainless steel shelving, and removal of sinks and replacement with specific hand-washing sinks. Labor costs of this work would be minimal, if any, since the District would use its own carpenters and plumber to complete the projects. In addition, we will work with the building principals to find alternate storage for any items that are currently housed in the kitchen that are not related to the hot lunch program.

Partnership with PTO/As

The administration is working to identify ways to cover/reduce the start-up costs to the District. We have had an initial discussion with our elementary PTO/A leaders to consider partnering with us to help defray some of the costs to get the program up and running. In addition, we are currently operating the lunch program at the middle schools with an excess of approximately \$27,000 per year, which is profit from the sale of *a la carte* items (not the basic hot lunch). We will need to determine whether we will use any of these profits to help cover the start-up costs for the elementary program.

If the Board is favorable to moving forward with the expansion, the administration will form a committee with the elementary PTO/A leaders and Arbor to identify the type of lunch/food we will offer and the mechanics of how families will order and pay for the lunch, and to recommend a price for the daily lunch. It is expected that the price will cover all expenses generated from preparation and delivery of the meal, while also helping to defray some of the District's initial start-up investment. In addition, we will also ask the PTO/As to consider a financial contribution

to help offset some of the start up costs. However, a contribution from the PTO/A will not be a requirement to have the District's hot lunch program at the school.

We believe it is important that the District offer a quality hot lunch program to *all* students in the District. Neighboring districts have been offering this service for many years to their families. The current hodgepodge of offerings only partially fills our elementary families' need for convenient, healthy lunch options for their children. However, as the programs have grown and expanded, they have become increasingly burdensome to PTO/As and the District to provide sufficient, trained staffing and oversight needed to meet food safety requirements.

The administration recommends moving forward with planning to prepare for a roll-out of a hot lunch program to the elementary schools for the 2016-17 school year.

Update on Master Facility Plan/Health Life Safety

Superintendent Dr. Laurie Heinz and Chief School Business Official Luann Kolstad will update the Board on the progress with the Master Facility/Health Life Safety Summer 2016 projects. Bid packages are going out on January 26, 2016.

Director of Facility Management Ron DeGeorge will be attending, in Mrs. Kolstad's place the Park Ridge Planning and Zoning Commission meeting which is being held concurrently with our Board meeting.

Consent Agenda

ACTION ITEM 16-01-4

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda of January 26, 2016 which includes the Personnel Report; Bills, Payroll and Benefits; Approval of Financial Update for the Period Ending December 31, 2015; Acceptance of Donation; Review of Closed Session Minutes for Release; and Destruction of Audio Closed Minutes.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

1/26/16

Personnel Report
January 26, 2016

Frank Borkowski	Employ as Night Custodian at Washington School effective January 4, 2016 - \$17,574.96 (prorated 129 days).
Kerry Downes-Columbia	Employ as Special Needs Assistant at Washington School effective January 15, 2016 - \$9,846.72 (prorated 96 days).
Kawther Saadeh	Employ as Special Needs Assistant at Washington School effective January 19, 2016 - \$9,641.58 (prorated 94 days).
Kathleen Williams	Employ as Special Needs Assistant at Field School effective October 2, 2015 - \$16,513.74 (161 prorated days).
Michelle Cimilluca	Change of Assignment from Special Needs Assistant at Washington School to Math Intervention Teacher at Field School effective January 11, 2016 - \$25,209.68 (prorated 96 days).
Katelyn Elder	Change of Assignment from Special Needs Assistant at Franklin School to Math Intervention Teacher at Franklin School effective January 4, 2016 - \$26,522.85 (prorated 101 days).
Valarie Lenzion	Change of Assignment from 6.5 hours - Special Needs Assistant at Roosevelt School to 7 hours - Special Needs Assistant at Lincoln School effective January 14, 2016.
Steve Seyller	Change of Assignment from Fulltime Substitute Custodian to Bridge Custodian at Emerson School effective January 4, 2016.
Sara Born	Leave of Absence Request, Maternity/FMLA – 3rd Grade Teacher at Washington School effective May 20, 2016 – June 2, 2016 (tentative).
Kristie Harvalis	Leave of Absence Request, Maternity/FMLA – 5th Grade Teacher at Roosevelt School effective April 18, 2016 – June 2, 2016 (tentative).
Lindsey Hejza	Leave of Absence Request, Maternity/FMLA – 5th Grade Teacher at Field School effective March 28, 2016 – June 2, 2016 (tentative).
Jason Mata	Leave of Absence Request, Paternity/FMLA – Physical Education Teacher at Field School effective April 23, 2016 – May 9, 2016 (tentative).

Personnel Report
January 26, 2016

Angela Taggart	Leave of Absence Request, Maternity/FMLA – EL Teacher at Field and Emerson School effective April 25, 2016 – June 2, 2016 (tentative).
Irma Rendon-Gonzalez	Resign as 10-Month, Level III Office Associate/Secretary at Washington School effective January 8, 2016.
Debbie Graziano	Retire as Literacy Teacher at Washington School effective June 2017.
Nancy Jensen	Employ as Summer School Special Education Principal effective June 7, 2016 – Emerson and Field Schools.
Tim Benka	Employ as Summer School Principal effective June 7, 2016 – Emerson School.
Tony Clishem	Employ as Summer School Principal effective June 7, 2016 – Field School.
Tim Gleason	Employ as Summer School Principal effective June 7, 2016 – Emerson School.
Lisa Halverson	Employ as Summer School Early Childhood Principal effective June 7, 2016 – Jefferson School.

APPROVAL OF BILLS AND PAYROLL

The following bills, payrolls and Board's share of pension fund are presented for approval:

Bills

10 - Education Fund -----	<u>\$ 1,058,696.39</u>
20 - Operations and Maintenance Fund -----	<u>\$ 217,365.44</u>
30 - Debt Services -----	<u>\$ 10,486.19</u>
40 - Transportation Fund -----	<u>\$ 208,005.00</u>
50- Retirement (IMRF/SS/MEDICARE)-----	<u>\$ -</u>
60 - Capital Projects -----	<u>\$ 211,980.18</u>
80 - Tort Immunity Fund -----	<u>\$ 484.50</u>
90 - Fire Prevention and Safety Fund -----	<u>\$ -</u>

Checks Numbered: 123717 - 123922

Total: \$ 1,707,017.70

Payroll and Benefits for Month of December, 2015

10 - Education Fund -----	<u>\$ 5,835,665.79</u>
20 - Operations and Maintenance Fund -----	<u>\$ 310,255.61</u>
40 - Transportation Fund -----	<u>\$ 6,967.81</u>
50 - IMRF/FICA Fund -----	<u>\$ 118,955.88</u>
80 - Tort Immunity Fund -----	<u>\$ -</u>

Checks Numbered: 11991 - 12023

Direct Deposit: 900086387 - 900088604

Total: \$ 6,271,845.09

This report can be viewed on the District 64 website on the Financial Data-Current link.

<http://www.d64.org/business/financial-data-current.cfm>

To: Laurie Heinz, Superintendent
Board of Education

From: Luann Kolstad, Chief School Business Official

Subject: Executive Summary – Financial Update for the Period Ending December 31, 2015

Date: January 26, 2016

Today we received the CPI-U to be used for the 2016 Tax Levy. It was a disappointing 0.7, which is 0.1 lower than the number used in the 2015 Tax Levy. One bright side, we had used 0.5 in our most recent projections. In addition, the Chicago Tribune has reported that our District will lose approximately \$308K if the legislature votes to move funding from Special Education into the General State Aide (GSA) formula. Districts will be asking for mandate relief if this passes.

Our financials continue to be very stable at this time.

Attached for your review:

- Fund Balance Report as of December 31, 2015
- Revenue Summary Report as of December 31, 2015
- Expenditure Summary Report as of December 31, 2015

Mrs. Wsol will be posting on your Board Wiki in a location separate from the board reports the detailed monthly financial information and the monthly Investment Report from the treasurer. If you need the detail, go here for it.

As always, if you have any questions comments or concerns, please email Dr. Heinz and myself.

Park Ridge - Niles School District 64
Fund Balance Report for the Period Ending December 31, 2015

Fund	Audited Fund Balance June 30, 2015	2015-16 FYTD Revenues	2015-16 FYTD Expenditures	Excess / (Deficiency) of Revenues Over Expenditures	Inter-Fund Transfers	Unaudited Fund Balance December 31, 2015
Education	\$26,063,112	\$27,984,731	\$23,964,446	\$4,020,285	\$0	\$30,083,397
Tort Immunity	1,072,144	306,060	745,101	-439,041	0	\$633,103
Operations & Maintenance	3,905,790	4,004,295	2,637,731	1,366,564	0	\$5,272,354
Transportation	2,504,449	658,999	917,607	-258,608	0	\$2,245,841
Retirement (IMRF)	700,650	1,048,370	837,121	211,249	-466,126	\$445,773
Retirement (Social Security)	0	10,779	178,026	-167,247	466,126	\$298,879
Working Cash	14,637,563	299,273	0	299,273	0	\$14,936,836
Total Operating Funds	\$48,883,708	\$34,312,507	\$29,280,032	\$5,032,475	\$0	\$53,916,183
Capital Projects	4,176,494	17,304	2,346,448	-2,329,144	0	\$1,847,350
Debt Service	3,743,954	1,596,867	2,948,181	-1,351,314	0	\$2,392,640
Total Non-Operating Funds	\$7,920,448	\$1,614,171	\$5,294,629	(\$3,680,458)	\$0	\$4,239,990
Total All Funds	\$56,804,156	\$35,926,678	\$34,574,661	\$1,352,017	\$0	\$58,156,173

This report can be viewed on the District 64 website on the Financial Data-Current link.

<http://www.d64.org/business/financial-data-current.cfm>

Acceptance of Monetary Donation

District 64 received a donation of \$850.00 in memory of June Albright, retired Field Elementary School secretary in the District. We want to thank the donors for their contribution to School District 64.

TO: Board of Education
 FROM: Laurie Heinz
 DATE: January 26, 2016
 RE: Review / Release of Closed Minutes

Superintendent Laurie Heinz and Board Secretary, Vicki Lee, reviewed closed minutes from July 13, 2015, through November 30, 2015.

CONSIDERATION OF DISTRICT 64 CLOSED SESSION MINUTES

DATE OF MEETING	ISSUE	RECOMMENDATION
July 13, 2015	1. Possible Litigation	1. Hold
July 16, 2015	1. Possible Litigation 2. Discipline of Specific Employee	1. Hold 2. Hold
August 10, 2015	1. Possible Litigation 2. Discipline of Specific Employee / Possible Litigation	1. Hold 2. Hold
August 24, 2015	1. Possible Litigation / Dismissal of Specific Employee 2. Possible Litigation 3. Possible Litigation	1. Hold 2. Hold 3. Hold
August 27, 2015	1. Dismissal of Specific Employee 2. Employment 3. Matters Related to Individual Students 4. Discipline of a Specific Employee	1. Hold 2. Hold 3. Hold 4. Hold
September 21, 2015	1. Discipline of Specific Employee 2. Discipline of Specific Employee	1. Hold 2. Hold
September 28, 2015	1. Performance of Specific Employee 2. Performance of Specific Employee 3. Hearing Testimony on a Complaint Lodged Against an Employee	1. Hold 2. Hold 3. Hold
October 17, 2015	1. Board Self Evaluation 2. Collective Negotiations	1. Hold 2. Hold

DATE OF MEETING	ISSUE	RECOMMENDATION
November 16, 2015	1. Discipline of an Employee	1. Hold
	2. Matters Related to Individual Students	2. Hold
November 30, 2015	1. Matters Related to Individual Students	1. Hold
	2. Matters Related to Individual Students	2. Hold
	3. Matters Related to Individual Students	3. Hold
	4. Matters Related to Individual Students	4. Hold

1/26/16

It is recommended that the following audio closed minutes of the Board of Education be destroyed.

July 7, 2014
July 12, 2014

Background

The Open Meetings Act provides that verbatim recordings of closed sessions may be destroyed not less than 18 months after completion of the recorded meeting, and after the Board approves written minutes of the closed session and the destruction of the recording. The Board has approved the written minutes of these meetings.

Approval of Minutes

ACTION ITEM 16-01-5

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the minutes from the Closed Sessions on December 14, 2015; January 9 and January 11, 2016; Special Board Meeting on January 9, 2016; and Regular Board Meeting on December 14, 2015.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

**BOARD OF EDUCATION
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64
Minutes of the Regular Board of Education Meeting held at 7:00 p.m.
December 14, 2015
Jefferson School – Multipurpose Room
8200 Greendale Avenue
Niles, IL 60714**

Board President Anthony Borrelli called the meeting to order at 6:02 p.m. Other Board members in attendance were Vicki Lee, Mark Eggemann, Bob Johnson, Scott Zimmerman, and Tom Sotos. Board member Dathan Paterno was absent. Also present were Superintendent Laurie Heinz, Chief School Business Official Luann Kolstad, Assistant Superintendent Joel Martin, Public Information Coordinator Bernadette Tramm, and two members of the public.

Board of Education meetings are videotaped and may be viewed in their full length from the District's website at: <http://www.d64.org>.

BOARD RECESSES AND ADJOURNS TO CLOSED SESSION

Board Recesses
and Adjourns to
Closed Session

Board President Borrelli noted the closed session would relate to two issues: discussion of upcoming contract negotiations with teachers to cover the process, protocol and issues of the negotiations with the District's legal counsel; and a topic regarding a student and special education services. He stated the Board had been advised by District legal counsel to convene negotiation discussion in closed session and that federal and state laws mandate that any discussion involving students be in closed session. He further noted that the motion was being worded so that the Board could continue its closed session on Saturday, January 9.

At 6:04 p.m., it was moved by Board President Borrelli and seconded by Board member Zimmerman to adjourn to closed session to discuss collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees [5 ILCS 120/2 (c)(2)] and the placement of individual students in special education programs and other matters relating to individual students [5 ILCS 120/2 (c)(10)]. It was further moved that the Board recess from this closed session and reconvene in closed session on January 9, 2016 to discuss collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees [5 ILCS 120/2 (c)(2)].

The votes were cast as follows:

AYES: Sotos, Zimmerman, Borrelli, Johnson, Lee, Eggemann

NAYS: None.

PRESENT: None.

ABSENT: Paterno

The motion carried.

The Board recessed from closed session and after a short break resumed the regular Board meeting at 7:25 p.m. In addition to those mentioned above, also present were Assistant Superintendent for Student Learning Lori Lopez, Director of Student Services Jane Boyd, Director of Innovation & Instructional Technology Mary Jane Warden, Director of Facility Management Ron DeGeorge, Assistant Business Manager Brian Imhoff, and 30 additional members of the public.

PUBLIC COMMENTS

Public
Comments

Board President Borrelli invited public comments; none were received.

PUBLIC HEARING PRIOR TO ADOPTION OF THE 2015 TAX LEVY

Public Hearing
Prior to Adoption
of the 2015 Tax
Levy

Board President Borrelli convened the public hearing on the 2015 tax levy. He invited any members of the public wanting to address the Board about the tax levy to come forward. No comments were received.

Board President Borrelli immediately adjourned the public hearing.

ADOPTION OF FINAL 2015 TAX LEVY

Adoption of
Final 2015 Tax
Levy

CSBO Kolstad reported that the Board's adoption of three resolutions this evening is the final step in the annual property tax levy process. She noted the Board had reviewed the levy in depth at its November meeting, and had adopted a tentative levy. She reported that the levy being recommended for final adoption is designed to access all new construction the District is entitled to, and that nothing had changed since the tentative levy. She reported that upon the Board's vote tonight, the documents would be delivered to the County Clerk's office. During discussion with the Board, she affirmed that one of the resolutions to be adopted by the Board instructs the Clerk to reduce the final tax extension solely from the Education Fund by whatever amount is required to be in compliance with the Property Tax Extension Limitation Law.

ACTION ITEM 15-12-1

Action Item
15-12-1

It was moved by Board member Johnson and seconded by Board member Zimmerman that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois, adopt the attached Resolution #1153 Providing For a Levy of Taxes for the Year 2015 and Resolution #1154 Instruct the County Clerk How to Apportion 2015 Tax Levy Extension Reductions and Resolution #1155 Authorizing Tax for Illinois Municipal Retirement Purposes. These resolutions and supporting documentation will be filed with the Cook County Clerk's office.

The votes were cast as follows:

AYES: Johnson, Lee, Borrelli, Zimmerman, Sotos

NAYS: Eggemann

PRESENT: None.

ABSENT: Paterno

The motion carried.

ILLINOIS STATE BOARD OF EDUCATION (ISBE) QUALIFIED SCHOOL CONSTRUCTION BONDS (QSCB) AND UPDATE ON PROJECTIONS

Illinois State Board of Education (ISBE) Qualified School Construction Bonds (QSCB) and Update on Projections

CSBO Kolstad announced that in late November, the ISBE had announced an application process and guidelines to compete for a pool of about \$495 million in QSCBs, which had just recently been made available to Illinois school districts through the American Recovery & Reinvestment Act of 2009. She explained that the bonds may be used to cover renovation of school buildings, such as District 64 is contemplating, with the interest reimbursed at 93% by this federal government program. CSBO Kolstad reported that ISBE intends to fund shovel ready projects from districts that have available debt capacity to issue the bonds; she noted that should more applications be received than funds are available, that other criteria such as low income population and property tax rates would be used to prioritize which schools would receive the QSCBs. She shared a bonding scenario prepared by William Blair that would provide for an issuance of \$24.35 million in non-referendum debt and a subsidy of \$10.5 million back from the federal government. During Board discussion, she reaffirmed that if District 64 is selected, it would have 18 months to issue the QSCBs and three years from the award to spend the funds, however the Board is under no obligation to issue the bonds. She confirmed that because of the completion of the Master Facilities Plan and 10-year Health Life Safety study, District 64 has a high volume of shovel-ready projects that could be funded through QSCBs, if the District is selected and the Board so chooses. She reported that the Board would have to take action on the application in early January to meet the ISBE submission deadline of January 15.

Following lengthy discussion, the Board unanimously agreed to preserve the District's option of potentially using this low-cost method of funding capital projects if selected for the program, and directed CSBO Kolstad to prepare the application for final Board consideration and action in early January. Dr. Heinz affirmed that although the timeline is quick, it would offer the Board another alternative to consider when looking at financing methods for projects the Board has been examining for summer 2016 and future years.

Moving to the second portion of her report, CSBO Kolstad reviewed financial projections that have been further updated to reflect current conditions in the economy and the possibility of a two-year property tax freeze for the 2017 and 2018 tax levy years. CPI also has been adjusted to reflect 0.5% in 2016 and 0% in the following two levies. CSBO

Kolstad reported on the amount of new money estimated with the new projection. She also provided the Board with fund balance projections taking into account potentially committing \$10 million in Working Cash for future capital projects. The projections indicate that the District could maintain the Board's Operating Fund balance policy of maintaining 33% in its fund balance through 2020, however she reiterated that there are many unknowns in terms of both revenues and expenditures. The Board then discussed her proposal to formally designate \$10 million to capital projects, but did not reach consensus on doing so at this time.

REPORT AND ACCEPTANCE OF ANNUAL AUDIT FY15

Report and
Acceptance of
Annual Audit
FY15

Assistant Business Manager Imhoff reported on the annual audit for the fiscal year ended June 30, 2015, prepared by the independent accounting firm of Klein Hall CPAs. He reviewed the three documents presented to the Board, including: the audited financial statements report and communication letters from the auditor to the Board, followed by a summary that goes to the ISBE. He pointed out that the opinion letter from the auditors is an unqualified, "clean" opinion providing the highest level of assurance. Mr. Imhoff noted that one major change this year is the Governmental Accounting Standards Board (GASB) Statement 68, which changed the accounting and financial reporting requirements for pensions. He noted that the audit report establishes a fund balance for all funds of \$56.9 million on June 30, 2015. He reported that it was the first time in several years that the fund balance had decreased, which is due to spending the proceeds from the bonds issued in 2014 to fund improvements at Field School.

Turning to the letters from the auditors, Mr. Imhoff noted that for the fourth straight year there were no findings related either to potential deficiencies in the District's account balances or internal controls, which is a "clean" communication. He noted that the second letter makes a minor recommendation to obtain an updated appraisal of the District's fixed assets and property. Mr. Imhoff reported that he and CSBO Kolstad believe an updated valuation would be worthwhile to obtain at this time, and could also be used for insurance purposes to validate the true cost of facilities and equipment. Mr. Imhoff noted that 4-8 years is the industry standard for such valuations, and that in the off years, District 64 had been compiling and providing to the appraisal company a list of the various projects completed that can be incorporated into the following year's update. Board members continued discussing with Dr. Heinz, CSBO Kolstad and Mr. Imhoff the timing of when the appraisal might be done, its estimated cost of \$15,000, the potential impact on the District's insurance costs, and the information developed by FGM Architects when preparing the new Master Facilities Plan. Mr. Imhoff concluded by noting the audit process went very smoothly this year, and that the feedback from the auditors was very helpful. Board President Borrelli congratulated the District for the continued diligence required for maintaining a clean opinion for a fourth year.

ACTION ITEM 15-12-2

Action Item
15-12-2

It was moved by Board member Zimmerman and seconded by Board member Lee that the Board of Education of Community Consolidated School District 64, Park

Ridge-Niles, Illinois, accept the annual audit report as presented for the fiscal year ending June 30, 2015.

The votes were cast as follows:

AYES: Sotos, Zimmerman, Borrelli, Lee, Johnson, Eggemann

NAYS: None.

PRESENT: None.

ABSENT: Paterno

The motion carried.

Mr. Imhoff and CSBO Kolstad responded to further Board member questions about the accounting impact of the GASB change on pension reporting.

UPDATE ON MASTER FACILITY PLAN/HEALTH LIFE SAFETY

Update on Master
Facility Plan/Health
Life Safety

CSBO Kolstad and Facility Director DeGeorge reported on further steps completed since the Board gave approval to prepare bid documents for summer 2016 work. She noted that FGM architects had met with each building's office staff to review the proposed layout for their secure vestibule/office and made minor changes to improve efficiency. She also reported that FGM Architects had submitted documents to the City of Park Ridge Appearance Committee for Field, Roosevelt and Lincoln that are to receive small additions, and submitted a site plan review application and special use applications to the Zoning Department. She noted that a further update would be provided at the January 26 Board meeting.

Dr. Heinz then reported on meetings with the Northeastern Illinois Public Safety Training Academy (NIPSTA) to enlist their expertise in helping District 64 to develop a comprehensive safety plan. Dr. Heinz and Board members discussed components they would like to see included in the plan; Dr. Heinz invited Board members to email her if they had additional ideas following the meeting.

PRESENTATION ON PARCC RESULTS

Presentation on
PARCC Results

Assistant Superintendent Lopez presented an overview of 2015 PARCC results for students in grades 3-8, which have now been made available by the ISBE and posted publicly to its website as well as District 64 and shared with parents. She reviewed the introduction of the PARCC assessment throughout Illinois for the first time in spring 2015 replacing the Illinois Standards Achievement Test (ISAT). She noted that in 2016, PARCC will be modified to incorporate a single testing window to reduce the number of tests. Most students will have about 90 minutes less in testing time. Dr. Lopez reviewed how the assessments are scored for each strand within English Language Arts (ELA) and Mathematics. She shared information about the rigor of the assessment, and pointed out

that actual test questions for the 2015 PARCC had been released publicly. She then shared the PARCC performance data by grade level and for the District, and noted that District 64 continues to outperform state averages at each grade level as well as the average of other states participating in the PARCC test. She pointed out that performance is now assigned to five levels, rather than four as was provided in the ISATs. For ELA, District 64 had 57% of students performing at levels 4 and 5, compared to 40% in the PARCC states and 38% in Illinois. For Math, 50% of District 64 students performed in the highest levels 4 and 5, compared to 32% in the PARCC states and 28% in Illinois. Dr. Heinz noted that the bar for proficiency had been raised in grade-level learning through the new ELA and Math standards for Illinois and with the PARCC assessment. She suggested that as with any change, there will be some adjustments as students and teachers transition to the new format of the PARCC exam and the higher expectations of the learning standards. Looking ahead, she reported on various strategies the District will be using to raise student performance into the low 60% range over the next three years, such as providing students with appropriate practice of the test format, supporting teachers with reviewing question types and the criteria for proficiency, and reviewing practices implemented by high-performing teams in District 64 and replicating these across the District. She concluded by noting the PARCC assessment is one component of the District's assessment portfolio, which include the Educational Ends, Measures of Academic Progress (MAP), and classroom assessments. During the Board member discussion that followed, Dr. Lopez indicated that Arlington Heights 25 and Wilmette 39 are districts that provide a good comparison for District 64 to analyze performance against in future years. She also reported that the individual student data she is analyzing shows a significant cluster of District 64 students at the top of the new "approaching standards" middle performance category, and that this would provide an important opportunity for District 64 to improve in future years. She reconfirmed that the 2016 PARCC would create another new baseline, however, as the assessment will be significantly different.

SUMMER INTERIM SESSION 2015 REPORT

Summer
Interim Session
2015 Report

Dr. Lopez reported on the successful 2015 Worlds of Wonder summer program, which had the highest number of class registrations to date and also utilized online registration for the first time. She noted that the program concluded with a deficit of about \$25,000, due to modified accounting practices instituted by new CSBO Kolstad to assign allocations of full-time administrators and clerical staff who support the program to this budget.

PRESENTATION AND APPROVAL OF SUMMER INTERIM SESSION 2016 DATES & FEES

Presentation and
Approval of Summer
Interim Session 2016
Dates & Fees

Dr. Lopez presented the recommendation for the 2016 summer program, to be held at Field and Emerson with two, 14-day sessions offered. She noted that although the popular online registration would be continued, a new system would be utilized that would provide enhanced features for communication and information sharing with parents and staff. The system is also used by the Park Ridge

Park District, and will be familiar to local residents. Dr. Lopez reviewed the budget and suggested tuition, which will increase to \$125 per class per session. She noted that tuition has held steady at \$100 or \$105 for the past five years, and was now designed to fully fund the program based on the additional expenses being allocated to it. Board members discussed the proposal, and the consensus was to set tuition to ensure the program would break even.

ACTION ITEM 15-12-3

Action Item
15-12-3

It was moved by Board member Zimmerman and seconded by Board member Eggemann that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the recommendations of dates, fees and locations for the 2016 Summer Interim Session.

The votes were cast as follows:

AYES: Sotos, Zimmerman, Borrelli, Lee, Johnson, Eggemann

NAYES: None.

PRESENT: None.

ABSENT: Paterno

The motion carried.

INFORMATION: HISTORICAL LOOK BACK ON STUDENT FEES

Information:
Historical Look
Back on Student
Fees

Dr. Heinz provided a brief history of fee studies that the District has conducted between 2008 and 2013 to give all Board members background on the current fee structure. She reviewed the fee study conducted in 2008-09 by the Community Finance Committee (CFC) and District 64, and shared key observations from that analysis. She then reported on the most recent review in 2012-13, again conducted by the CFC working with the District, which indicated that the District was recovering about 57% of its expenditures attributable to student fees by the fees being collected from parents. She reported that the Board at that time had subsequently approved maintaining the required student fees at the existing level and had provided substantial relief to elementary families by eliminating the lunch program supervision fee. Moving to the current school year, Dr. Heinz reported that the required registration fees paid by all students according to their grade level had remained unchanged for a seventh consecutive year. Looking ahead, Dr. Heinz stated that additional information would be developed to assist the Board in establishing fees for 2016-17, which are anticipated to be set no later than March 2016. Board members, Dr. Heinz, and CSBO Kolstad engaged in further discussion about the fee structure, what expenses are intended to be offset, how the fee relates to the abundant program offerings for students, the District's intention in setting fees for current parents balanced against expenses paid by all taxpayers, and how fees are communicated to parents. Board President Borrelli affirmed that the fee discussion had been broken into three segments, beginning with this

evening's in-depth review, and progressing to further analysis and finally decision-making. Dr. Heinz and CSBO Kolstad will provide additional information at the January 26 meeting.

**FIRST READING OF POLICIES FROM PRESS ISSUE 89 –
AUGUST 2015**

First Reading of
Policies from
PRESS Issue 89 –
August 2015

It was agreed by consensus to defer consideration of the proposed changes until Board member Paterno could report on behalf of the Board Policy Committee.

**DISCUSSION: PROPOSED REORGANIZATION OF SPECIAL
EDUCATION ADMINISTRATIVE MODEL**

Discussion: Proposed
Reorganization of
Special Education
Administrative
Model

Director of Student Services Boyd reviewed a recommendation to reorganize the administrative model utilized by District 64 for supervision of its special education services. She provided a history of how the role of special education administrators has changed in District 64 in recent years, and the current demands for greater degrees of leadership and oversight for an expanding number of activities. She provided comparative data about the number and type of administrators employed in large elementary school districts. She reviewed District 64's current model, which relies on Park Ridge Education Association (PREA) members as Facilitators and supports a peer-to-peer leadership model for special education staff. Director Boyd stated it is the recommendation of the administrative team that two full-time special education Facilitators be replaced with two full-time special education Coordinators, who would hold administrative licenses. She provided further information about how the recommended model would better meet the changing needs of the District and help to accomplish the ambitious goals foreseen in the 2020 Vision Strategic Plan, while being cost neutral. Dr. Heinz reaffirmed that the support model must change if the District is to meet the higher standards of the new strategic plan. Board members, Dr. Heinz and Director Boyd discussed the proposal to understand the current model, the ramifications of making the recommended change, and the research done in developing the proposal. The recommendation will be brought before the Board at a future meeting for action.

CONSENT AGENDA

Consent
Agenda

A. PERSONNEL REPORT

Valerie Lenzion	Employ as Special Needs Assistant at Roosevelt School effective November 18, 2015 - \$13,128.95 (prorated 128 days).
Nicole Azark	Leave of Absence Request, Maternity/FMLA – 4th Grade Teacher at Roosevelt School effective March 21, 2016 – June 2, 2016 (tentative).

Shelli Mata	Leave of Absence Request, Maternity/FMLA – 2nd Grade Teacher at Carpenter School effective April 23, 2016 – August 2016 (tentative).
Asma Yazdani	Leave of Absence Request, Maternity/FMLA – Math/Science Teacher at Lincoln School effective April 23, 2016 – August 2016 (tentative).

If additional information is needed, please contact Assistant Superintendent for Human Resources Joel T. Martin.

B. BILLS, PAYROLL AND BENEFITS

Bills

10 - Education Fund-----	\$ 922,951.61
20 - Operations and Maintenance Fund -----	166,395.93
30 - Debt Services-----	12,953.38
40 - Transportation Fund -----	237,657.78
50 - Retirement (IMRF/SS/MEDICARE)-----	-
60 - Capital Projects -----	117,749.45
80 - Tort Immunity Fund -----	1,072.00
90 - Fire Prevention and Safety Fund -----	-

Checks Numbered: 123387 - 123610

Total: \$1,457,780.05

Payroll and Benefits for Month of November, 2015

10 - Education Fund-----	\$4,031,552.11
20 - Operations and Maintenance Fund -----	210,461.70
40 - Transportation Fund -----	5,397.33
50 - IMRF/FICA -----	80,699.76
80 - Tort Immunity Fund -----	-

Checks Numbered: 11915 - 11990

Direct Deposit: 900084775 – 900086386

Total: \$4,328,110.90

Accounts Payable detailed list can be viewed on the District 64 website www.d64.org > Departments > Business Services.

C. APPROVAL OF NOVEMBER FINANCIALS ENDING NOVEMBER 30, 2015

Monthly financial reports can be viewed on the District 64 website www.d64.org > Departments > Business Services.

**D. RESOLUTION #1156 AUTHORIZING AN AMENDMENT OF THE
INTERGOVERNMENTAL AGREEMENT RELATING TO THE O'HARE NOISE
COMPATIBILITY COMMISSION**

E. ACCEPTANCE OF DONATION

F. DESTRUCTION OF AUDIO CLOSED MINUTES (NONE)

ACTION ITEM 15-12-4

Action Item
15-12-4

It was moved by Board member Zimmerman and seconded by Board member Eggemann that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda of December 14, 2015 which includes the Personnel Report; Bills, Payroll and Benefits; Approval of Financial Update for the Period Ending November 30, 2015; Resolution #1156 Authorizing an Amendment of the Intergovernmental Agreement Relating to the O'Hare Noise Compatibility Commission; Acceptance of Donation; and Destruction of Audio Closed Minutes (none).

The votes were cast as follows:

AYES: Eggemann, Johnson, Lee, Borrelli, Zimmerman

NAYS: None.

PRESENT: None.

ABSENT: Paterno, Sotos

The motion carried.

APPROVAL OF MINUTES

Approval of
Minutes

Board members discussed a proposed revision to the closed session minutes of November 30.

ACTION ITEM 15-12-5

Action Item
15-12-5

It was moved by Board member Johnson and seconded by Board member Eggemann that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the minutes from the Closed Sessions on November 30 and November 16, 2015; Special Board Meetings on November 30 and November 5, 2015; and Regular Board Meeting on November 16, 2015, with the deletion of the third sentence in the third paragraph of point number one in the closed session minutes of November 30.

The votes were cast as follows:

AYES: Zimmerman, Borrelli, Lee, Johnson, Eggemann

NAYS: None.

PRESENT: None.

ABSENT: Sotos, Paterno

The motion carried.

OTHER DISCUSSION AND ITEMS OF INFORMATION

Other Discussion
and Items of
Information

Dr. Heinz reported that the annual ELF Casino Night benefit would be held on January 30 and urged Board members to attend. She noted the work the Wellness Committee had done and that the committee is developing a new website and would be focusing on heart health month in February. Dr. Heinz reported on recent FOIA requests. She also noted that the elementary schools would be hosting holiday sings for their families prior to the Winter Recess.

ADJOURNMENT

Adjournment

At 10:49 p.m., it was moved by Board member Lee and seconded by Board member Johnson to adjourn, which was approved by voice vote.

President

Secretary

**BOARD OF EDUCATION
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64
Minutes of the Special Board of Education Meeting held at 8:30 a.m.
January 9, 2016
Hendee Educational Service Center
164 S. Prospect Avenue
Park Ridge, IL 60068**

Board President Anthony Borrelli called the meeting to order at 8:30 a.m. Other Board members in attendance were Vicki Lee, Mark Eggemann, Bob Johnson, Scott Zimmerman, Dathan Paterno, and Tom Sotos. Also present were Superintendent Laurie Heinz, Chief School Business Official Luann Kolstad, Assistant Superintendents Lori Lopez and Joel T. Martin, and one member of the public.

Board of Education meetings are videotaped and may be viewed in their full length from the District's website at: <http://www.d64.org>.

Board members reached consensus that following the Superintendent's update the Strategic Plan and District goals scheduled for the January 26, 2016 meeting, the Board would discuss Dr. Heinz's mid-term evaluation in two parts at 6:00 p.m. on February 8 and at 6:30 p.m. on February 22 in advance of the regularly scheduled meetings on those dates.

Board President Borrelli briefly reviewed the Open Meetings Act provisions regarding notification and agenda requirements of special meetings.

PUBLIC COMMENTS

Public
Comments

Board President Borrelli invited public comments; none were received.

RESOLUTION # 1157 APPROVING AN APPLICATION TO THE ILLINOIS STATE BOARD OF EDUCATION FOR QUALIFIED SCHOOL CONSTRUCTION BOND DESIGNATION FOR OBLIGATIONS TO FINANCE CERTAIN CAPITAL PROJECTS IN AND FOR PARK RIDGE-NILES SCHOOL DISTRICT 64, ILLINOIS, AUTHORIZING THE PRESIDENT OF THE BOARD OF EDUCATION OF SAID SCHOOL DISTRICT TO EXECUTE SAID APPLICATION AND DIRECTING AN OFFICIAL OF SAID SCHOOL DISTRICT TO SUBMIT SAID APPLICATION

Resolution # 1157 Approving an Application to the Illinois State Board of Education for Qualified School Construction Bond Designation for Obligations to Finance Certain Capital Projects in and for Park Ridge-Niles School District 64, Illinois, Authorizing the President of the Board of Education of Said School District to Execute Said Application and Directing an Official of Said School District to Submit said Application

CSBO Kolstad reviewed the Qualified School Construction Bonds (QSCB) proposal, which had been discussed at length by the Board at the December 14, 2015 regular meeting. She noted that the Board is under no obligation to

issue the bonds, but that the District would not have an opportunity to be considered for this program unless the application is submitted. She reported that District 64 is in a good position with its application, having met the first two criteria of having the debt capacity available to issue the bonds and having shovel ready projects. She reported that William Blair had calculated that the maximum amount the District could ask for and stay with the Debt Extension Limitation would be a little over \$34 million, with an associated interest savings of over \$19 million. She noted the interest savings represents 93% of the total interest cost of the project. She referenced her written report that included a spreadsheet tracking the District's debt service levy and associated debt service tax rate from 2007 through the term of the bonds, which would be the year 2035. CSBO Kolstad noted that if the District were successful in obtaining the QSCBs as requested and if the Board decided to issue the entire amount, the District would be able to complete all Health Life Safety work, secure vestibules and a large majority of the critical infrastructure work on all facilities. She also reviewed the items that would not be covered through this funding. CSBO Kolstad noted that the projects being submitted with the QSCB application are focused on providing safe, warm and dry learning environments. CSBO Kolstad and Board members then discussed current and expected building energy efficiency practices related to control systems and monitoring. Board members further discussed the opportunity that QSCBs might provide the Board when considering how to finance the great number of capital projects that have been identified through the Master Facilities Plan and Health Life Safety study. The consensus of the Board was to take the first step of determining whether the bonds would be available to District 64 by submitting an application, and that discussion would continue on an overall financing plan.

ACTION ITEM 16-01-1

Action Item
16-01-1

It was moved by Board member Zimmerman and seconded by Board member Johnson that the Board of Education of Park Ridge-Niles Community Consolidated School District 64, Illinois, adopt resolution #1157, approving an application to the Illinois State Board of Education for qualified school construction bond designation for obligations to finance certain capital projects in and for Park Ridge-Niles Community Consolidated School District 64, Illinois, authorizing the President of the Board of Education of said school District to execute said application and directing an official of said school District to submit said application.

The votes were cast as follows:

AYES: Sotos, Paterno, Zimmerman, Borrelli, Lee, Johnson, Eggemann

NAYES: None.

ABSENT: None.

PRESENT: None.

The motion carried.

Board President Borrelli directed administration to expedite the filing of the application.

BOARD RECESSES AND CONTINUES CLOSED SESSION FROM DECEMBER 14, 2015

At 9:16 a.m., it was moved by Board President Borrelli and seconded by Board member Zimmerman to recess and continue a closed session from December 14, 2015 as officially approved at that meeting to discuss collective negotiating, which was approved by voice vote.

The special Board meeting adjourned from closed session at 12:53 p.m. without returning to open session.

President

Secretary

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Meeting of the Board of Education Park Ridge – Niles School District 64

Special Board Meeting Agenda
Thursday, February 4, 2016
Hendee Educational Service Center
164 S. Prospect Avenue
Park Ridge, IL 60068

On some occasions the order of business may be adjusted as the meetings progresses to accommodate Board members' schedules, the length of session, breaks and other needs.

TIME

APPENDIX

6:30 p.m. Meeting of the Board Convenes

- Roll Call
- Introductions
- Opening Remarks from President of the Board

6:30 p.m. • Public Comments

- **Discussion Regarding Formation of Board Finance and Building/
Sites Committee**
- Chief School Business Official

A-1

- **First Reading of Policies from PRESS Issue 89 – August 2015**
- Superintendent

A-2

• Board Recesses and Adjourns to Closed Session

- Collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees [5 ILCS 120/2 (c)(2)].

Next Meeting:

Monday, February 8, 2016
Special Board Meeting – 6:30 p.m.
Closed Session Meeting
Jefferson School – Multipurpose Room
8200 N. Greendale Avenue
Niles, IL 60714

In accordance with the Americans with Disabilities Act (ADA), the Board of Education of Community Consolidated School District 64 Park Ridge-Niles will provide access to public meetings to persons with disabilities who request special accommodations. Any persons requiring special accommodations should contact the Director of Facility Management at (847) 318-4313 to arrange assistance or obtain information on accessibility. It is recommended that you contact the District, 3 business days prior to a school board meeting, so we can make every effort to accommodate you or provide for any special needs.

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Meeting of the Board of Education Park Ridge – Niles School District 64

Special Board Meeting Agenda
Monday, February 8, 2016
Jefferson School – Multipurpose Room
8200 N. Greendale Avenue
Niles, IL 60714

On some occasions the order of business may be adjusted as the meetings progresses to accommodate Board members' schedules, the length of session, breaks and other needs.

TIME

APPENDIX

6:30 p.m. **Meeting of the Board Convenes**

- Roll Call
- Introductions
- Opening Remarks from President of the Board

• **Public Comments**

6:30 p.m.

• **Security Update**

-- Superintendent

A-1

• **Discussion on Staffing 2016-17**

-- Chief School Business Official/Assistant Superintendent
for Human Resources

A-2

• **Board Recesses and Adjourns to Closed Session**

-- The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity [5 ILCS 120/2 (c)(1)] and collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. [5 ILCS 120/2 (c)(2)]

Next Regular
Meeting:

Monday, February 22, 2016

Closed Session Meeting – 6:30 p.m.

Regular Board Meeting – 7:00 p.m. (or at the conclusion of closed whichever is later)

Washington School – Gym

1500 Stewart Avenue

Park Ridge, IL 60068

the Director of Facility Management at (847) 318-4313 to arrange assistance or obtain information on accessibility. It is recommended that you contact the District, 3 business days prior to a school board meeting, so we can make every effort to accommodate you or provide for any special needs.

DRAFT

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Meeting of the Board of Education Park Ridge – Niles School District 64

Regular Board Meeting Agenda
Monday, February 22, 2016
Washington School – Gym
1500 Stewart Avenue
Park Ridge, IL 60068

On some occasions the order of business may be adjusted as the meetings progresses to accommodate Board members' schedules, the length of session, breaks and other needs.

TIME

APPENDIX

6:30 p.m. Meeting of the Board Convenes

- Roll Call
- Introductions
- Opening Remarks from President of the Board

• Board Recesses and Adjourns to Closed Session

- The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity [5 ILCS 120/2 (c)(1)] and collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees [5 ILCS 120/2 (c)(2)].

7:00 p.m. • Board Adjourns from Closed Session and Resumes Regular Meeting

Or at
conclusion of
closed session
whichever is
later

• Pledge of Allegiance and Welcome

- Washington School Principal/Students

• Public Comments

• Report on February 5 Institute Day

- Assistant Superintendent for Student Learning

A- 1

• Residency 101 Update

- Superintendent

A-2

• Enrollment Projections for 2016-17 School Year

- Chief School Business Official

A-3

• Board Authorizes 2016-17 Staffing Plan

- Chief School Business Official/

Action Item 16-02-1

A-4

Assistant Superintendent for Human Resources

- **Approval: Special Education Administrative Model** A-5
 - Superintendent Action Item 16-01-2
- **Website Analytics Report** A-6
 - Director of Innovation and Instructional Technology
- **Approval of Fee Study Recommendation** A-7
 - Chief School Business Official Action Item 16-02-3
- **Approval of Bids for Summer 2016 Project**
 - Chief School Business Official Action Item 16-02-4
- **Presentation of Tentative Calendar for 2017-18** A-8
 - Superintendent
- **Consent Agenda** Action Item 16-02-5 A-9
 - Board President
 - Personnel Report
 - Bills, Payroll and Benefits
 - Approval of Financial Update for the Period Ending January 31, 2015
 - Approval of Policies from PRESS Issue 89, August 2015
 - Destruction Audio Closed Minutes (none)
- **Approval of Minutes** Action Item 16-02-6 A-10
 - Board President
 - Closed Session Meeting -----February 8, 2016
 - Special Board Meeting -----February 8, 2016
 - Closed Session Meeting -----February 4, 2016
 - Special Board Meeting -----February 4, 2016
 - Regular Board Meeting -----January 26, 2016
 - Closed Session Meeting -----January 26, 2016
 - Closed Session Meeting -----January 20, 2016
 - Special Board Meeting -----January 20, 2016
 - Special Board Meeting -----January 11, 2016
- **Other Discussion and Items of Information** A-11
 - Superintendent
 - Upcoming Agenda
 - District Committee Update (Elementary Learning Foundation, Traffic Safety Meeting)
 - Memorandum of Information (none)
 - Minutes of Board Committees (none)
 - Other
- **Adjournment**

Next Meeting: **Thursday, March 3, 2016**
Special Board Meeting – 6:30 p.m.

Closed Session Meeting
Hendee Educational Service Center
164 S. Prospect Avenue
Park Ridge, IL 60068

In accordance with the Americans with Disabilities Act (ADA), the Board of Education of Community Consolidated School District 64 Park Ridge-Niles will provide access to public meetings to persons with disabilities who request special accommodations. Any persons requiring special accommodations should contact the Director of Facility Management at (847) 318-4313 to arrange assistance or obtain information on accessibility. It is recommended that you contact the District, 3 business days prior to a school board meeting, so we can make every effort to accommodate you or provide for any special needs.

DRAFT

December 24, 2015

PLEASE CONFIRM RECEIPT

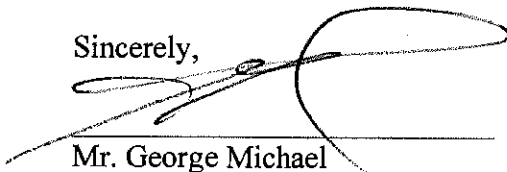
Dear Sir or Madam:

I call your attention to the Freedom of Information Act and The Open Meetings Act, <http://www.ilga.gov/legislation/publicacts/96/096-0542.htm>. Pursuant to this legislation, I respectfully request the following information relative to Attorney John Murphey and or the Law Offices of Rosenthal, Murphey, Coblentz & Donahue, 30 North LaSalle Street, Suite 1624, Chicago, IL 60602, his/its employees or contractors (hereinafter, "Murphey"):

1. **Murphey/Cost of Services.** Relative to Murphey, provide (a) copy of the contract(s) of employment/engagement, (b) current hourly rate for legal services, (c) monthly retainer if any, (d) any and all invoices for payment thereto **from January 1, 2012 to present** with redactions limited only to specific attorney client privileged information if any (undue redactions designed to subvert the spirit and intent of the FOIA will be forwarded to the Illinois Attorney General for review and disposition), (e) any and all expense payments and or reimbursements with description thereof, and (f) any taxpayer provided health or life insurance policies to Murphey, cell phones, vehicle allowances/reimbursements or other economic benefit(s).
2. **Murphey 1099s.** Any and all 1099s issued to Murphey **from January 1, 2010 to present.**

Please contact me at (773) 617-6002 if you require any clarification as to my lawful request under the Freedom of Information Act and Open Meetings Act.

Sincerely,

A handwritten signature in black ink, appearing to read "George Michael", written over a horizontal line.

Mr. George Michael

Chicago, IL. 60608

Better Government Association: aschroedter@bettergov.org
NWI Times: chris.white@nwi.com

CC. Assistant United States Attorney
Armarjeet Bhachu Hand Delivered Dirksen Federal Building

CC. FBI Special Agent Richard Tipoton
Hand Delivered Roosevelt Road

JAN 04 2016

BOARD OF EDUCATION
DISTRICT 64

Superintendent
Park Ridge-Niles SD #64
164 S. Prospect Ave.
Park Ridge, IL 60068

To Whom It May Concern,

Under the State of Illinois Freedom of Information Act (5 ILCS 140/1), I would like to request, for commercial purposes, the following information regarding the following budgetary items:

- 1.) Does your school district employ the use of a risk manager or insurance consultant for the procurement of the school district's insurance? (Yes/No)
- 2.) If the answer to question #1 is "Yes", then please provide the following information regarding the insurance consultant:
 - Risk Manager or Human Resources/Insurance Consulting Firm Name

 - Annual Cost of the Risk Manager or Human Resources/Insurance Consulting Firm Name

 - Expiration Date of the Contract

 - A Copy of the current Risk Management or Human Resources/Insurance Consulting Firm Agreement with the School District
- 3.) What Insurance Carrier/Insurance Trust or Insurance Pooling Arrangement currently insures the District?

- 4.) What is the annual insurance premium paid by the district. Please identify by the following two categories?
 - Commercial Property, Liability, Automobile, Inland Marine and Umbrella

 - Workers Compensation

Please mail this form to the address below. Thank you for providing this information!

Patty Birk
3737 Summer Sage Ct.
Champaign, IL 61822

RECEIVED

JAN 11 2016

BOARD OF EDUCATION
DISTRICT 64

409 S. Clifton Ave.
Park Ridge, IL 60068
January 9, 2016

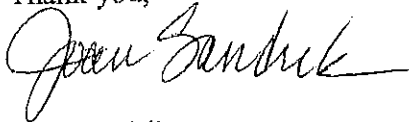
FOIA Request —

Please provide the following information:

Teachers' Long Term Disability Insurance:

How many teachers have enrolled in this insurance?
At what point in an illness does the insurance begin paying?

Thank you,



Joan Sandrik
847-302-4296



Madelyn Wsol <mwsol@d64.org>

Fwd: Official FOIA Request 1.11.16

1 message

Laurie Heinz <lhein@d64.org>

Mon, Jan 11, 2016 at 1:14 PM

To: Madelyn Wsol <mwsol@d64.org>, Bernadette Tramm <btramm@d64.org>

FOIA just received

----- Forwarded message -----

From: **Trey Cobb** <trey@onechanceillinois.org>

Date: Mon, Jan 11, 2016 at 1:07 PM

Subject: Official FOIA Request 1.11.16

To:

January 11, 2016

Dear Superintendent:

This is a request under the Freedom of Information Act for records showing the following information:

- Whether your district has a gifted and talented program.
- If yes, in what areas of learning?
- If yes, how many students are enrolled?
- If yes, how many students are enrolled by grade level?
- If yes, how many students are enrolled by race/ethnic classification?
- If yes, how many students are enrolled by income classification?
- If yes, how many students are enrolled by gender classification?
- If yes, does your district provide a universal gifted assessment for students? If so, what grade levels?

Please send me the records as an electronic Excel spreadsheet, or if that is not possible, in the electronic format in which you keep the records. If the records are only in paper format, please scan them into PDFs. Please email me the records, or if that is not possible, mail them to me on a CD. If you are unable to send the records in one of the formats I requested, please contact me to discuss alternatives. Please contact me for my authorization of any charge in excess of \$10. I am not making this request for a commercial purpose.

Thank you,

Trey Cobb

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Trey Cobb | One Chance Illinois | Policy Associate

Kids only get one chance at a high quality education.

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