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

Special Board Meeting Agenda
Monday, August 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

6:00 p.m. **Meeting of the Board Convenes**

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

6:00 p.m. **• 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)]; 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)].

7:00 p.m. **• Board Adjourns from Closed Session and Convenes Committee-of-the-Whole: Student Achievement Update/Scorecard**

8:00 p.m. **• Board Adjourns from Committee-of-the-Whole: Student Achievement Update and Resumes Special Board Meeting**

• Public Comments

• Construction Update

- Chief School Business Official/Director of Facility Management/
FGM Architects

A-1

• Approval of Electrical Service Contract

- Chief School Business Official

A-2

Action Item 16-08-1

- **Discussion on Copier Solutions Continued** **A-3**
 - Chief School Business Official

- **Outstanding Student Fees 2015-16** **A-4**
 - Chief School Business Official

- **Discussion and Approval of Building and District Certified Administrative Salaries** **A-5**
 -- Superintendent **Action Item 16-08-2**

- **Discussion and Approval of Superintendent Salary** **A-6**
 -- Board President **Action Item 16-08-3**

- **Approval of Lunchroom Supervisor Hourly Rate Effective August 17, 2016** **A-7**
Action Item 16-08-4
 -- Assistant Superintendent for Human Resources

- **Approval of Extension of Arbor Food Service Agreement & Middle School Hot Lunch Prices** **A-8**
Action Item 16-08-5
 -- Chief School Business Official

- **Discussion on Concussion Testing** **A-9**
 -- Assistant Superintendent for Student Learning

- **First Reading PRESS Policies 7:190, 7:200, 7:210, 7:220, 7:230** **A-10**
 -- Superintendent

- **Consent Agenda** **A-11**
 -- Board President **Action Item 16-08-6**
 - Personnel Report

- **Other Discussion and Items of Information** **A-12**
 -- Superintendent
 - Upcoming Agenda
 - Freedom of Information Act Requests
 - Memorandum of Information (none)
 - Institute Day and Opening Days
 - Other
 - Discipline Data Update 2015-16

- **Adjournment**

Next Regular
Meeting:

Monday, August 22, 2016

Closed Session – 6:00 p.m.

Washington Construction Tour – 6:30 p.m.

Regular Board Meeting – 7:00 p.m.

Washington School – South Gym

1500 Stewart 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 August 4, 2016

August 22, 2016 – Washington School – South Gym

Closed Session – 6:00 p.m.

Washington Construction Tour – 6:30 p.m.

Regular Board Meeting – 7:00 p.m.

- District Institute Days & Opening Day Report
- Preliminary Discussion on Master Facilities Plan/Health Life Safety Projects 2017-18
- Reorganization of School Health Services
- Update on 2015-16 Financial Results
- Preliminary Enrollment and Staffing Report
- Approval of Copier Solutions
- Ratify Roof at Carpenter School
- Approval of Policies 7:190, 7:200, 7:210, 7:220, 7:230 (consent)
- Approval of Policies from PRESS Issue 90 (consent)
- Approval of Monthly Financial Update
- Update on Summer Construction Projects
- April 2017 Election (memo of information)

September 12, 2016 – Jefferson School – Multipurpose Room

Committee of the Whole: NIPSTA Update & Crisis Go App - 7:00 p.m.

September 26, 2016 – Roosevelt School – North Gym

Public Hearing on Budget – 6:45 p.m.

Regular Board Meeting – 7:00 p.m.

- Board Adopts Budget
- Thoughtexchange results
- Sixth Day of Enrollment
- Referendum: Research to Readiness
- Annual Recognition of Schools
- Board Member School Visits
- Approval of Monthly Financial Update
- ISBE Report: Administrator & Teacher Salary and Benefits – School Year 2015 (memo)
- Follow-up on Collection of Student Fees (memo of information)
- Update on Construction (other)

October 11, 2016 – Lincoln School - Gym

Committee-of-the-Whole: 20th Century Learning – 7:00 p.m.

Future Meeting Topics

- Approval of Compensation for Building and District Certified Administrators Effective July 1, 2016
- Approval of Park Ridge Park District - Emerson Lighting Proposal
- Recap on Summer Curriculum Writing Projects
- Sonitrol Proposal
- Update on Educational Ends
- Approval of Health Life Safety Recommendations for a Five-year Plan
- Approval of Ten-year Health Life Safety Survey – September 26, 2016
- Follow-up on Collection of Student Fees – January 23, 2017 (memo of information)
- Follow-up on Collection of Student Fees – April 24, 2017 (memo of information)
- Follow-up on Collection of Student Fees – June 26, 2017 (memo of information)

The above are subject to change.

Construction Update

Chief School Business Official Luann Kolstad, Director of Facility Management Ron DeGeorge and a representative from FGM Architects will provide an update on construction projects and the Carpenter School roof.

To: Board of Education
Dr. Laurie Heinz, Superintendent

From: Luann Kolstad, Chief School Business Official
Ron DeGeorge, Director of Facility Management

Date: August 8, 2016

Re: Approval of Electrical Services Contract with Direct Energy

Background

The District's current contract with Constellation Energy for electrical service will expire in December 2016. This contract was for a five-year period with rates locked in for every year. Within that five-year period we have seen many swings in electrical rates which the District was not able to take advantage of with a long-term contract.

Electrical Contract for December 2016 to December 2017

The administration used electrical broker SaveWave Energy to receive nine bids to supply the District with electricity for either a 12-, 24- or 36-month period. SaveWave's fee is \$.0001 per kilowatt hour (kWh), which equates to approximately \$560 per month. This cost is included in the kWh the District will be paying to the electricity supplier.

The lowest responsible bidder for electrical service is Direct Energy. The 12-month contract represents the best cost savings for the District. As suppliers look to the future, they are conservative in future year quotes, so the cost per kWh goes up as we look at a longer time period for the contract.

The new 12-month contract being recommended includes all supply charges except for the transmission charge from ComEd, which is billed separately by ComEd. The kWh rate for the 12-month period is \$0.06256 which equates to a \$38,149 savings over the prior 12-month usage and costs from Constellation Energy. (Attachment 1)

The change in electrical supplier is seamless for the District so there is no "down time" when the switchover occurs. SaveWave will continue to watch rates over the next year and will be making a recommendation on when we should purchase the next year's supply of electricity. The contract between the District and Direct Energy is a 100% Swing Contract. This means that if we shut down a building in the summer with electrical usage dropping dramatically, we are not charged for lost and cost that Direct Energy may encounter when they resell the unneeded electricity.

ACTION ITEM 16-08-01

I move that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois, approve the contract with Direct Energy for electrical service at all District buildings for the period of December 2016 to December 2017 (12 months) as presented.

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

8/8/2016



SaveWave EnergySM

Attachment 1

Client: School District 64

Contact: Luann Kolstad

Start Date: 12/2/2016

Usage: 5,577,334

Current Rate: 0.0694

3383820007

3467645006

3467501009

1367073006

Account #'s: 0781633001

2797796002

2543608002

2797786006

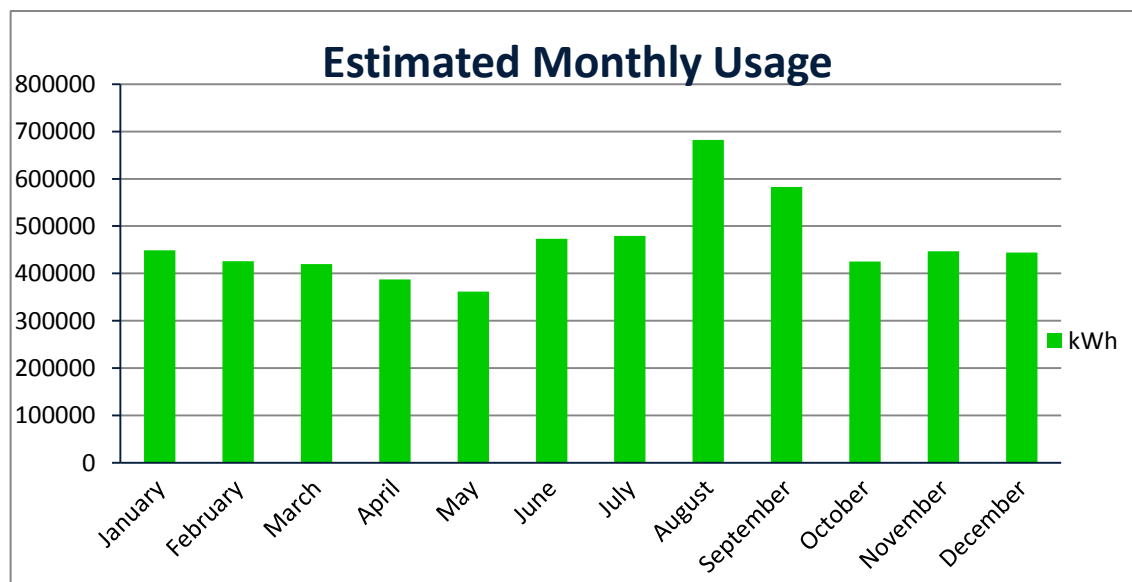
2545072000

Consultant: Adam Hundelt

Phone: (312) 854-2690

Email: ahundelt@savewaveenergy.com

Supplier Name	New Rate			Term Savings		
	12 Months	24 Months	36 Months	12 Months	24 Months	36 Months
Direct Energy	\$0.06256	\$0.06646	-	\$38,149	\$32,795	-
U. S. Gas & Electric	\$0.06640	\$0.07040	\$0.07210	\$16,732	-\$11,155	-\$45,176
Spark Energy	\$0.07430	\$0.07910	-	-\$27,329	-\$108,200	-
IGS	\$0.06370	\$0.06850	\$0.07090	\$31,791	\$10,039	-\$25,098
Source Power & Gas	\$0.06695	\$0.07147	\$0.07537	\$13,664	-\$23,090	-\$99,890
Crius Energy	\$0.06349	\$0.07632	\$0.07943	\$32,962	-\$77,190	-\$167,822
AEP	\$0.06751	\$0.07253	\$0.07457	\$10,541	-\$34,914	-\$86,504
Champion	\$0.06866	\$0.07273	\$0.07508	\$4,127	-\$37,145	-\$95,038
Suez Energy Resources	\$0.06785	\$0.07207	\$0.07522	\$8,645	-\$29,783	-\$97,380



Prices are subject to change. All quotes are good through 4 pm CST. Prices are fixed "all inclusive" rates. They include cost of raw energy, transmission, service, capacity, ancillaries, utility pass-thru charges, and renewable energy charges.

Discussion on Copier Solutions Continued

Chief School Business Official Luann Kolstad will continue the discussion which began at the July 18, 2016 Board of Education meeting on a new solution for copiers and printers. Members of the technology team and business office have been working with Impact, a company that develops managed print solutions for businesses and school districts.

To: Board of Education
Dr. Laurie Heinz, Superintendent

From: Luann Kolstad, Chief School Business Official
Brian Imhoff, Assistant Chief School Business Official

Date: August 8, 2016

Subject: Outstanding Student Fees 2015-16

This report outlines the District's collection procedures for student fees and a history of unpaid fees for the last four years.

Collection Procedures

The 2015-16 school year marked the District's second year using Infosnap as its online registration system. With Infosnap, parents provide all required registration information and pay student fees all at once. The system does not allow parents to submit the registration unless they either pay the student fees or indicate they will be applying for a fee waiver.

The District mailed collection letters to families with unpaid fees in October, November, and December. Any students that were approved for a fee waiver were excluded from these mailings. The December letter informed parents that it was the final reminder and any balances not paid by January 15 would be submitted to a collection agency. The District reported these balances to the collection agency on January 22.

The District began using a collection agency for unpaid fees in 2013-14 to combat an increasing problem with unpaid balances. The collection agency utilizes two phases of collection efforts. The first phase consists solely of mailed notices informing parents of the debt. The District receives 100% of the fees collected during this first phase. If the first phase is determined to be unsuccessful, the District has the option to move the collection efforts into a second phase, which includes a more aggressive collection approach of mailings, phone calls, and emails. The District and the collection agency each receive 50% of any fees collected during the second phase.

History of Unpaid Fees

The table below shows outstanding student fees for the last four fiscal years as of June 30 in that year.

Fiscal Year	Outstanding Students	Outstanding Families	Outstanding Balance
2015-16 (Infosnap year 2)	92	64	\$22,264
2014-15 (Infosnap year 1)	67	43	\$16,066
2013-14 (pre-Infosnap)	158	Not Available	\$38,004
2012-13 (pre-collection agency)	215	Not Available	\$51,074

As you can see, the District experienced a noticeable decrease in unpaid fees during the first year the collection agency was used (2013-14). There was another significant decrease when the District implemented Infosnap for online registration (2014-15). The number of students with unpaid fees in 2015-16 increased slightly to 92, which is about 2% of the District 64 student population. Although it's difficult to pinpoint the exact reason for the increase, the Business Office does occasionally hear from parents with unpaid fees. Many cite financial difficulties that prevent them from paying, but some refuse to pay for other reasons. The Business Office has numerous conversations with parents each year explaining how student fee money is used to support District programs. The Student Fee Study documents prepared for the Board in March 2016 are also provided to parents as a reference.

Future Reporting to the Board

The District began receiving student fee payments for 2016-17 when registration opened in late April. Beginning in the fall, the Business Office will provide quarterly updates of unpaid 2016-17 fees to the Board of Education via a memorandum of information.

Discussion and Approval of Building and District Certified Administrative Salaries

ACTION ITEM 16-08-2

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois approve a 1.9% salary increase for building and District certified administrators as well as a market adjustment pool of money valued at _____ to be distributed on the evaluation and recommendation of the Superintendent effective July 1, 2016.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

Discussion and Approval of Superintendent Salary

ACTION ITEM 16-08-3

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois approve the Superintendent to receive a salary increase of ____% as well as a market adjustment pool of money valued at _____ to be distributed based on the evaluation and recommendation of the Board of Education effective July 1, 2016.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

To: Board of Education
From: Joel T. Martin, Assistant Superintendent for Human Resources
Date: August 8, 2016
Re: Wage Recommendation for Lunchroom Supervisors

On September 9, 2013, the Board of Education established rates for new staff hired to work as supervisors for the elementary lunchroom program. These employees are responsible for the safety and security of all District 64 elementary students daily in the lunchroom and during the lunch recess.

The rates below have remained unchanged since adoption:

Lunchroom Supervisors:

Starting Hourly Wage - \$12.00

Assistant Head Lunchroom Supervisor:

Starting Hourly Wage - \$13.00

Head Lunchroom Supervisor:

Starting Hourly Wage - \$13.00

Since the 2013 rates were put into effect, the District has found it increasingly difficult to attract and keep quality supervisors across all three positions/levels. Specifically, we believe the rates established in 2013 have proven to be a deterrent to hiring and keeping staff within the lunchroom. Last year, the District had three to five unfilled supervisors positions per building on a daily basis.

In addition, the greater challenge has been attracting and retaining Head and Assistant Head Lunchroom Supervisors. Two of the elementary buildings have experienced instability in attracting and maintaining the Head and Assistant Head Lunchroom Supervisor positions. The building administrators have cited the starting hourly rate as the main reason for individuals turning down or resigning these positions. Furthermore, current lunchroom supervisors are not interested in the open Head/Assistant Head positions, because the rate of pay either does not constitute a significant increase or constitutes no increase in pay for the additional work required.

Over the past years, the administration has tried expanded methods to attract potential new hires, such as posting the positions onto on-line job sites and on various college campuses, with little to no impact.

As a result of several years of studying the situation, the administration is recommending the following new rates effective at the start of the 2016-17 school year:

Lunchroom Supervisors:

Starting Hourly Wage - \$14.00

Assistant Head Lunchroom Supervisor:

Starting Hourly Wage - \$16.00

Head Lunchroom Supervisor:

Starting Hourly Wage - \$18.00

Hourly Rate Increase:

Two percent increase on the hourly rate for returning employees.

Any current employee making less than the proposed rate would be increased to the new rate, but would not receive a two percent raise.

We believe this recommendation will help increase the pool of qualified supervisors, and make the Head/Assistant Head positions more attractive and commensurate with their responsibilities ensuring the safety and well-being of our elementary students during the daily lunch period.

ACTION ITEM 16-08-4

I move that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois, approve the wage recommendations for Lunchroom Supervisors as presented effective with the 2016-17 school year.

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

8/8/2016

To: Board of Education
Dr. Laurie Heinz, Superintendent

From: Luann Kolstad, Chief School Business Official

Date: August 8, 2016

Re: Approval of Arbor Management Contract Extension for 2016-17,
Middle School Daily Plated and Elementary Sack Lunch Price, and
Ala Carte Items Offered at the Middle Schools

Background

- In May 2009, through the bidding process, Arbor Management was awarded the contract for food service at Emerson and Lincoln Middle Schools by the Board of Education. Since that time, the Board has approved extensions of this agreement for subsequent school years.
- Based on the District's percentage of students qualifying for free lunch, the District does not qualify for the National School Lunch Program (NSLP). However, the District is required to serve free lunches to students that are identified through the Illinois State Board of Education application process, Supplemental Nutrition Assistance Program (SNAP) recipients, Temporary Assistance for Needy Families (TANF), homeless and foster children. At the middle schools, students that qualify receive the plated lunch. At the elementary schools, students that qualify receive a sack lunch that is transported from the Emerson and Lincoln kitchens to the elementary schools.
- Currently, the District is offering a meal that equates to \$2.70 per meal whether it is the plated lunch at the middle school or the sack lunch at the elementary buildings. For information purposes, the NSLP reimbursement rate for 2015-16 was \$3.07, meaning NSLP wants districts to provide a lunch at a quality level that would cost \$3.07 or higher to produce.
- Per Board directive, administration will be bidding out the food service contract for all elementary and middle schools for the 2017-18 school year.

Daily Plate Lunch w/Milk Price

Based on data obtained in our survey of parents earlier this year on hot lunch and information obtained from principals and other individuals who work in the lunchrooms, the quality of our plate lunch now served at the middle schools and sack lunch (available only for free students) served at the elementary buildings needs improvement. The plate lunch includes all required components: protein, starch, vegetable, along with milk.

To enhance quality, administration is recommending that the value of the daily plate lunch at the middle schools and the sack lunch for elementary buildings be increased to \$2.95. We are hopeful that in increasing our investment, we will not only provide a higher quality nutritional option to students receiving the free lunch, but also encourage more middle school students to purchase and benefit from the daily plate lunch.

Ala Carte Prices

All other meals served at the middle schools are considered “ala carte” items since none of them individually would qualify as a NSLP lunch with all of the necessary components. The prices of these items have not increased in a number of years. Administration is recommending a modest increase in the cost of these items. Please see the attached 2016-17 School Year Price List from Arbor (Attachment 1). The ala carte items are extremely popular at both middle schools.

Arbor Contract One-Year Extension 2016-17

Arbor’s labor and food costs are expected to increase by 2.5% for the 2016-17 school year. However, the Administrative Cost and Management Fees will be the same percentages as 2015-16. Attached to this report (Attachment 2) is the 2016-17 Financial Projection prepared by Arbor. Our unaudited financial results in Skyward for food service in the prior three years are as follows:

	2015-16	2014-15	2013-14
Revenues:			
Middle School Food Sales	\$481,226	\$488,767	\$480,789
Elementary Milk Fees	93,524	90,483	93,420
State/Federal Reimbursements	32,876	33,539	38,019
Total Revenues	\$607,626	\$612,789	\$612,228
Expenses:			
Contracted Food Service	\$555,990	\$577,128	\$540,670
Repairs & Maint/Supplies	11,409	9,924	18,363
Total Expense	\$567,399	\$587,052	\$559,033
Net Profit/(Loss)	\$ 40,227	\$ 25,737	\$ 53,195

ACTION ITEM 16-08-05

I move that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois, approve the Arbor Management Contract Extension for the 2016-17 School Year and approve the 2016-17 Middle School Daily Plated and Elementary Sack Lunch Price to \$2.95 and increase the ala carte prices as presented.

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

8/8/2016

2016- 2017 SCHOOL YEAR PRICE LIST

DAILY PLATE LUNCH W/MILK	\$2.95
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SNACKS

BAGEL	\$1.10
BAKED CHIPS, 1.5 OZ	\$1.10
BREAD STICK, 1.5 OZ	\$0.65
BROWNIES/CAKES	\$1.10
CHEEZ IT, 1.5 OZ	\$1.00
CHURRO	\$1.15
APPLE BOSCO STICK (1)	\$1.30
COOKIE, OTIS SPUNKMEYER 2.3 OZ	\$1.20
MUNCHIES	\$1.00
OREO COOKIES, 2 OZ	\$1.20
POP TARTS, 3.67 OZ	\$1.20
POP TARTS, WHOLE GRAIN, 3.67 OZ	\$1.20
PREMIUM ICE CREAM	1.75-3.25
PRETZELS, 6 OZ	\$1.15
RICE KRISPIE TREATS, 1.3 OZ	\$1.10
VICKIE'S CHIPS, 1.3 OZ	\$1.35
WELCH'S FRUIT, 2.25 OZ	\$1.15
YOGURT, 6 OZ	\$1.25
YOGURT PARFAIT, 10 OZ	\$1.65

ENTREES

BOSCO STICKS, 2 CT	\$2.65
CHEESEBURGER	\$2.50
BREADED CHICKEN SANDWICH	\$2.25
CHICKEN TENDERS, 3 OZ	\$3.35
NACHOS W/CHEESE, 4 OZ	\$1.80
PIZZA, 16" 8 CUT, PEPPERONI	\$2.85
PIZZA, 16" 8 CUT, CHEESE	\$2.50

SALADS

BUFFALO CHICKEN SALAD	3.70
CHICKEN CAESAR SALAD	3.60
TACO SALAD	3.60
SALAD BAR	3.10

SIDE DISHES

HOT VEGETABLE (4 oz)	\$0.55
SEASONED FRIES (4 oz)	\$2.00
FRENCH FRIES 4 oz	\$1.65
RICE OR POTATO	\$0.75
SOUP - w/ crackers 12 oz	\$1.25
CHILI, 12 OZ	\$1.50
CHEESE SAUCE, 2 OZ	\$0.50
MARINARA SAUCE, 4 OZ	\$0.60
CREAM CHEESE	\$0.50

ROTATING FOOD BARS

SANDWICH BAR	\$3.75
MEXI BAR	\$3.60
JUMP ASIAN	\$3.60
PASTA BAR	\$3.60

BEVERAGES

BOTTLED WATER 8 OZ	\$0.75
BOTTLED WATER, 16.9 OZ	\$1.00
GATORADE, 12 OZ	\$1.75
WELCH'S 12 OZ	\$1.50
MILK 8 OZ	\$0.55
MILK - ELEMENTARY	\$0.50



arbor
Management, Inc.

Approved:
August 2, 2016

2016-2017 Financial Projection**INCOME**

TOTAL STUDENT/STAFF SALES	\$	520,960
SPECIAL FUNCTION	\$	121,225
REIMBURSEMENTS	\$	35,500

TOTAL INCOME	\$	677,685
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EXPENSES

FOOD COST		\$	271,074
DIRECT COST		\$	24,687
LABOR COST		\$	235,060
ADMINISTRATIVE COST	The greater of 5.50% or \$34,957	\$	36,751
MANAGEMENT FEE	The greater of 2.15% or \$13,634	\$	14,335

TOTAL EXPENSES	\$	581,907
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PROJECTED RESULTS	\$	95,778
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Results based on:

Based on upgraded elementary lunches
Price increases of 6% over all
Food and labor increases based on *cost analysis at 2.5% per category
* See Outlook attached
Current level of enrollment and ADA
Source fresh, clean label products and continued scratch preparation of all food

To: District 64 Board of Education
 From: Lori Lopez, Assistant Superintendent for Student Learning
 Date: August 8, 2016
 Re: Background for Discussion on Concussion Testing District Policy 7:300

In 2014-15, the Board of Education approved the implementation of a voluntary baseline concussion testing program for middle school students participating in interscholastic basketball, volleyball, and wrestling. Each year, over 150 students participate in these interscholastic sports.

Baseline concussion testing is a computer-based pre-season exam. Physicians can compare results from baseline tests (or pre-injury tests) to a similar exam conducted during the season if an athlete has a suspected concussion. The test tracks information such as memory, reaction time, speed, and concentration. Essentially the ImPact test is a “physical” of the brain. This can help inform a physician’s decisions about medical care. Baseline concussion testing has been implemented in Illinois high schools for interscholastic sports per IHSA regulations.

Current Procedure

- Current District 64 interscholastic participation forms include concussion education information for parents.
- District 64 currently partners with Athletico to provide the ImPact program. The ImPact program is a baseline concussion testing program that can be used to help diagnose a concussion. Participation in the testing is voluntary.
- The test takes approximately 45-60 minutes to complete and is administered to interested students outside of the school day.
- The testing is performed by Athletico and the results are confidentially maintained by Athletico and not the District. The results of the test are available for two years for parents’ future reference, without any charges or fees, upon parent request to Athletico.
- If a concussion is suspected, parents may choose to work with Athletico and their child’s physician to seek a post-injury test. This process can help a doctor determine when return to play is appropriate and safe for the injured athlete.
- Per District 64 guidelines, if a student should sustain an injury of this nature parents are promptly notified.
- The cost of ImPact testing is \$10 per student athlete and test results are valid for two years. Payments are currently made through the District 64 website. All athletes must also complete a permission slip and have appropriate signatures before any ImPact testing can be performed.
- Over the past two years, 55 students have participated in the program, approximately one-third of students participating in the interscholastic program. We do not have an estimate of students who seek baseline testing outside of District 64.
- Currently, students participating in Cross Country (middle school), Girls on the Run, and middle school intramural basketball and volleyball do not participate in baseline testing.

New for 2016-17

- New concussion policy requires all coaches to complete concussion training every other school year.
- This training will occur as a combination of an after school meeting facilitated by District 64 Nurses at the start of next school year and the completion of one Global Compliance Network tutorial, *Concussions in Schools*.

First Reading of PRESS Policies 7:190, 7:200, 7:210, 7:220, 7:230

Policy	Title	Administrative Council Meeting 8/2/16 Change/No Change	BOE Meeting 7/18/16 Change/No Change
7:190	Students – Student Behavior	C	C
7:200	Students – Out-of-School Suspension Procedures	C	N/C
7:210	Students – Expulsion Procedures	N/C	C page 2
7:220	Students – Bus Conduct	N/C	N/C
7:230	Students – Misconduct by Students with Disabilities	N/C	C Page 1

8/8/16

February 2016

7:190

Students

This policy becomes effective and replaces the current policy on *Student Discipline* on the first student attendance day of the 2016-2017 school year.

Student Behavior (formerly known as *Student Discipline*) ¹

The goals and objectives of this policy are to provide effective discipline practices that: (1) ensure the safety and dignity of students and staff; (2) maintain a positive, weapons-free, and drug-free learning environment; (3) keep school property and the property of others secure; (4) address the causes of a student's misbehavior and provide opportunities for all individuals involved in an incident to participate in its resolution; and (5) teach students positive behavioral skills to become independent, self-disciplined citizens in the school community and society. ²

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

¹ All districts must have a policy on student discipline, including school searches and bullying prevention (105 ILCS 5/10-20.14, amended by P.A. 99-456, eff. 9-15-2016); re-engagement of students returning from an exclusionary discipline or an alternative school (105 ILCS 5/10-22.6(b-25), amended by P.A. 99-456, eff. 9-15-2016); and corporal punishment (105 ILCS 5/24-24). See also 23 Ill.Admin.Code §1.280. See the Cross References for policies on searches and bullying. Each district must furnish a copy of the discipline policy to parents/guardians within 15 days after the beginning of the school year, or within 15 days after starting classes for a student who transfers into the district. The school board must require that each school inform its pupils of the discipline policy's contents.

School boards, along with the parent-teacher advisory committee, must annually review their pupil discipline policies, those policies' implementation, and any other factors related to the safety of their schools, students, and staff (105 ILCS 5/10-20.14(a), amended by P.A. 99-456, eff. 9-15-2016). The parent-teacher advisory committee should meet to discuss the changes to this policy necessitated by P.A. 99-456 before the legislation's effective date of 9-15-2016. For more information about the parent-teacher advisory committee, see board policy 2:150, *Committees*. The parent-teacher advisory committee, in cooperation with local law enforcement agencies, must develop, with the school board, a reciprocal reporting system (105 ILCS 5/10-20.14(b), amended by P.A. 99-456, eff. 9-15-2016). See 7:190-AP3, *Guidelines for Reciprocal Reporting of Criminal Offenses Committed by Students*. School districts are encouraged to create memoranda of understanding that define law enforcement's role in schools. See 7:190-E3, *Memorandum of Understanding*.

Given the unique concerns facing school officials, school disciplinary codes are not required to be drafted as narrowly or with the same precision as criminal statutes. *Bethel School Dist. v. Fraser*, 106 S.Ct. 3159 (1986).

² The goals and objectives in this policy give the board a focus for monitoring it. This list can be deleted, replaced, or modified by the board. Data on student discipline is available at www.isbe.net/research/htmls/eoy_report.htm.

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When and Where Conduct Rules Apply ³

A student is subject to disciplinary action for engaging in *prohibited student conduct*, as described in the section with that name below, whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

1. On, or within sight of, school grounds before, during, or after school hours or at any time;
2. Off school grounds at a school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school;
3. Traveling to or from school or a school activity, function, or event; or
4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including, but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property. ⁴

Prohibited Student Conduct ⁵

The school administration is authorized to discipline students for gross disobedience or misconduct, including but not limited to:

1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes. ⁶

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

³ Board policy should provide a jurisdictional statement telling students and staff the circumstances under which the district will take disciplinary action. Jurisdictional rules in board policy should generally be as broad as possible to give staff members authority to respond to unforeseen situations. Taking jurisdiction over off-campus misconduct generally survives the test of reasonableness when the misconduct has a direct nexus to the school. A countervailing interest concerns liability for off-campus student injuries, i.e., the greater the jurisdiction a district is willing to impose, the greater the scope of liability it may be assuming. Ultimately, a decision whether to discipline for off-campus misconduct requires a factual inquiry to determine the degree of nexus and impact on the school. Many decisions address disciplining a student for off-campus misconduct; for example, see: *J.S. v. Blue Mountain Sch. Dist., combined with Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3d Cir. 2011), *cert. denied* 2012 WL 117558 (U.S.) (absent evidence that parodies of school personnel caused, or could cause, substantial disruption, school districts may not punish out-of-school expressive conduct, even if it is lewd, indecent, or offensive speech).

Note that the law is different regarding participants in athletics and extracurricular activities. See policy 7:240, *Conduct Code for Participants in Extracurricular Activities*.

A judge may transfer a student to another school for committing stalking or non-consensual sexual contact against another student, or for aiding and abetting such an act; the parents/guardians are responsible for transportation and other costs associated with the transfer (Stalking No Contact Order Act and the Civil No Contact Order Act, 740 ILCS 21/80 and 22/213). A school district is seldom notified when a transfer order is requested. When notified, school officials should immediately seek the board attorney's advice concerning available options.

⁴ The factual context will determine the appropriateness of taking jurisdiction. Contact the board attorney before disciplining a student for off-campus conduct. See *Doe v. Superintendent of Schools of Stoughton*, 767 N.E.2d 1054 (Mass., 2002) (suspension for off-campus commission of a felony was upheld).

⁵ Consult the board attorney for advice on deleting or modifying any of the items in this section on prohibited student conduct.

⁶ 105 ILCS 5/10-20.5b prohibits use of tobacco on school property. Federal law prohibits smoking within schools by anyone (Pro-Children Act of 1994, 20 U.S.C. §6081). Districts that fail to comply risk a civil penalty of up to \$1,000 per violation per day. See policy 8:30, *Visitors to and Conduct on School Property*, for more information.

2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. 7 Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, selling, or offering for sale:
- Any illegal drug or controlled substance, or cannabis (including medical cannabis, marijuana, and hashish). 8
 - Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription. 9
 - Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription. 10
 - Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited. 11
 - Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.

State and federal law have not yet addressed electronic cigarettes. An electronic or e-cigarette resembles a regular cigarette. It contains a battery-operated heating element that turns a liquid into a mist for inhaling. The liquid may contain nicotine. Information, albeit limited, is posted on the U.S. Food and Drug Administration website at:

www.fda.gov/tobaccoproducts/default.htm

www.fda.gov/NewsEvents/PublicHealthFocus/ucm172906.htm

www.fda.gov/newsevents/publichealthfocus/ucm252360.htm

7 Alcoholic beverages are defined in 235 ILCS 5/1-3.01 to 3.05.

8 Controlled substance is defined in 720 ILCS 570/102; cannabis is defined in 720 ILCS 550/3. Either spelling, *marihuana* or *marijuana*, is correct; however, *marijuana* is more common. See f/n 11 for a discussion of medical cannabis.

9 Anabolic steroid is defined in 720 ILCS 570/102(c-1).

10 See policies 7:240, *Conduct Code for Participants in Extracurricular Activities*, and 7:300, *Extracurricular Activities*.

11 To legally use medical cannabis, an individual must first become a *registered qualifying patient*. The use of cannabis by a *registered qualifying patient* is permitted only in accordance with the Compassionate Use of Medical Cannabis Pilot Program (410 ILCS 130/). There are many situations in which no one, even a *registered qualifying patient*, may possess or use cannabis, including in a school bus or on the grounds of any preschool, or primary or secondary school (410 ILCS 130/30(a)(2)&(3)). See also www2.illinois.gov/gov/mcpp/Pages/default.aspx. Contact the board attorney for advice concerning medical cannabis, including whether a federal or State law requires the district to accommodate a student who is a *registered qualifying patient*. See Americans With Disabilities Act, 42 U.S.C. §12101 *et seq.*; Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §1400 *et seq.*; Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794; 105 ILCS 5/14-1.01 *et seq.*, 5/14-7.02, and 5/14-7.02b; and 23 Ill.Admin.Code Part 226.

- f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form. ¹²
- g. "Look-alike" or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, or other substance that is prohibited by this policy; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug, controlled substance, or other substance that is prohibited by this policy. ¹³
- h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances. ¹⁴

Students who are under the influence of any prohibited substance are not permitted to attend school or school functions and are treated as though they had the prohibited substance, as applicable, in their possession.

4. Using, possessing, controlling, or transferring a "weapon" as that term is defined in the Weapons section of this policy, or violating the Weapons section of this policy. ¹⁵
5. Using or possessing an electronic paging device. *[NOTE – We suggest separating out the prohibition on the use and possession of an electronic paging device from the prohibition on use of cell phones in a disruptive matter, below. Illinois law specifically prohibits student use/possession of electronic paging devices; however, the law does not specifically prohibit student use of cell phones.]*
6. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited

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¹² The Powdered Caffeine Control and Education Act states: "No person may sell, offer for sale, give away, or provide free samples of powdered pure caffeine to any person under age 18 located within the State or to any person under age 18 making the purchase from within the State." A limited exception to this prohibition exists for "the sale of any powdered pure caffeine product that receives explicit approval as safe and effective for its intended use under the federal Food, Drug, and Cosmetic Act or is lawfully marketed under an over-the-counter monograph issued by the United States Food and Drug Administration." 410 ILCS 647/20, added by P.A. 99-50.

¹³ Look-alike and counterfeit substances are defined in 720 ILCS 570/102(g)&(y). This provision is broader because it would apply, for example, if a student represents a powdered vitamin to be pure caffeine – pure caffeine is prohibited on campus even though it is a legal substance. Look-alike drugs should be defined; an unpublished Ill. appellate decision in 2000 found a policy prohibiting possession of look-alikes had vagueness problems.

¹⁴ Drug paraphernalia is defined in 720 ILCS 600/2. Contact the board attorney for advice concerning a student who is a *registered qualifying patient*, as explained in f/n 11.

¹⁵ This language is broader than the **Weapons** section of this policy. The **Weapons** section contains the statutorily required punishment for "a student who is determined to have brought" a weapon to school along with the statutory definition of *weapon* (105 ILCS 5/10-22.6). The language in item #4 is broader because it prohibits "using, possessing, controlling, or transferring" a weapon in addition to violating the **Weapons** section. See the footnotes in the *Weapons* section for a discussion of the Firearm Concealed Carry Act's provisions.

or
Other
wearable
technology

in their lockers

conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); ~~(c) it is used during the student's lunch period, or~~ (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals. 16 ***[NOTE – Please review this provision carefully to ensure that it is reflective of current district practice. If it is not reflective of district practice, then the language should be revised accordingly.]***

7. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
8. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
9. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
10. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying (as described in Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*), bullying using a school computer or a school computer network, or other comparable conduct. 17

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16 105 ILCS 5/10-21.10 prohibits student possession of electronic paging devices, but State law leaves to local boards the discretion whether to prohibit student possession of cellular phones (105 ILCS 5/10-20.28). The misuse of camera phones can seriously invade a student's privacy. A board wanting a sweeping prohibition may use the following alternative for item #5:

Using or possessing a cellular telephone, electronic signaling device, two-way radio, video recording device, and/or other telecommunication device, unless authorized and approved by the Building Principal.

Operating transmitters designed to jam or block wireless communications violates the federal Communications Act of 1934 (47 U.S.C. §§301, 302a, & 333). Fines are as high as \$10,000 for each violation and/or imprisonment, and the device may also be seized (47 U.S.C. §§501-510).

Making a video recording or live video transmission of another person without their consent in a restroom, locker room, or changing room is a Class 4 felony (720 ILCS 5/26-4). A minor who distributes or disseminates an indecent visual depiction of another minor through the use of a computer or electronic communication device may be subject to adjudication as a minor in need of supervision (705 ILCS 405/3-40).

17 All districts must have a policy on bullying (105 ILCS 5/27-23.7(d). Policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the statutory definition of *bullying*.

105 ILCS 5/10-20.14 requires boards, in consultation with their parent-teacher advisory committees and other community-based organizations, to include provisions in their student discipline policy to address aggressive behavior, including bullying. Implementing procedures must include a method for informing parents/guardians when their child or ward engaged in aggressive behavior as well as early intervention procedures based upon available community and district resources. See 7:190-E1, *Aggressive Behavior Reporting Letter and Form*.

- PDA
^
11. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the ~~non-disruptive~~: (a) expression of gender or sexual orientation or preference or (b) display of affection during non-instructional time.
 12. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*. 18
 13. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property. 19
 14. Entering school property or a school facility without proper authorization.
 15. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
 16. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants. 20
 17. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member. 21
 18. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia. 22

Suspending students for hazing was upheld in Gendelman v. Glenbrook North High School and Northfield Township School District 225, 2003 WL 21209880 (N.D.Ill., 2003). This decision may have been legislatively overturned by P.A. 99-456, amending 105 ILCS 5/10-20.14.

The failure of a school official (including any administrator, teacher, counselor, support staff, or coach) to report hazing is a Class B misdemeanor (720 ILCS 5/12C-50.1).

A person commits a felony hate crime when, by reason of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, disability, or national origin of another person, he or she commits assault or battery (720 ILCS 5/12-7.1). The penalty is heightened when the offense is committed in a school or administrative facility.

720 ILCS 5/26-1 makes transmitting a threat of violence, death, or bodily harm directed against persons at a school, school function, or school event, whether or not school is in session, or causing such a threat to be transmitted, a Class 4 felony.

18 All school boards must have a policy on prohibited teen dating violence (105 ILCS 110/3.10). Verify that the board adopted the policy listed and amend its title in this policy, if necessary.

19 720 ILCS 5/26-1(a)(3.5) makes threatening to destroy a school building or school property, whether or not school is in session, or causing such a threat to be transmitted, a Class 4 felony.

20 105 ILCS 5/26-2a, 5/26-9, and 5/26-12. See policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*, and 7:70, *Attendance and Truancy*.

21 State law requires schools to suspend or expel any student who engages in this activity (105 ILCS 5/31-3).

22 See Kelly v. Board of Educ. of McHenry Community High School Dist. 156, 2007 WL 114300 (N.D.Ill., 2007)(upheld student's expulsion for drawing gang symbols while at school; testimony that the danger posed by gang signs and the presence of gangs at school supported the board's insistence on strict enforcement of board policy prohibiting gang related behavior and made expulsion a proper remedy).

740 ILCS 147/15 *et seq.* allows a school district to bring a civil suit against a gang, gang officers, or gang members for losses it suffers due to their criminal activity.

19. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
20. Making an explicit threat on an ^{social media} Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school. ²³
21. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee. ²⁴
22. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property. ²⁵

For purposes of this policy, the term “possession” includes having control, custody, or care, currently or in the past, of an object or substance, including situations in which the item is: (a) on the student’s person; (b) contained in another item belonging to, or under the control of, the student, such as in the student’s clothing, backpack, or automobile; (c) in a school’s student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event. ²⁶

Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. ²⁷ The failure to provide such notification does not limit the Board’s authority to impose discipline, including suspension or expulsion, for such behavior.

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²³ This statement of misconduct restates 105 ILCS 5/10-22.6(d-5). The following alternative provides a shorter statement but will require the administrator to check the statute before imposing discipline based on it:

Making an explicit threat on an Internet website against a school, employee, or any school-related personnel under circumstances described in Section 10-22.6(d-5) of the School Code.

²⁴ For more information regarding unmanned aircraft systems see: www.faa.gov/uas/.

²⁵ A catchall provision, e.g., this one, gives staff members authority to respond to unforeseen situations.

If the board adopts a mandatory uniform policy (see 7:165, *School Uniforms*), add the following item to the list as number 17: “Failing to comply with the mandatory uniform policy, but only after repeated attempts to secure compliance, such as conferences with parents/guardians, have been unsuccessful.”

²⁶ *Possession* should be defined to avoid vagueness problems.

²⁷ See f/n 17.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student. ²⁸

Disciplinary Measures ²⁹

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions. ³⁰ School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties. ³¹ Potential disciplinary measures include, without limitation, any of the following: ³²

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property. ³³

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²⁸ Mandated by 105 ILCS 5/10-20.36.

²⁹ **IMPORTANT:** The practice of suspending or expelling a student based on the number of accumulated disciplinary infractions may be illegal under 105 ILCS 5/10-22.6, amended by P.A. 99-456, eff. 9-15-2016. This includes a system of assigning points to specific infractions and then tallying the points a student receives over a period of time to determine a disciplinary exclusion from school. Contact the board attorney before using such a system.

Before P.A. 99-456 (eff. 9-15-2016) amended 105 ILCS 5/10-22.6, courts used the following factors to determine if a board abused its discretion when it expelled a student: (1) the egregiousness of the student's conduct, (2) the record of the student's past conduct, (3) the likelihood that such conduct will affect the delivery of educational services to other students, (4) the severity of the punishment, and (5) the intent of the child. *Robinson v. Oak Park*, 571 N.E.2d 931 (Ill.App.1, 1991); *Wilson ex rel. Geiger v. Hinsdale Elementary District*, 810 NE2d 637 (Ill.App. 2, 2004). Whether courts will continue to use these factors is yet to be determined. The enactment of P.A. 99-456 calls into question the validity of relying on past misconduct in suspension or expulsion decisions.

Aside from procedural due process protection, students have a constitutional substantive due process right. This right protects them from an abuse of government power which "shocks the conscience." While the scope of substantive due process is very limited, it is available to students who believe they were subject to arbitrary and excessive discipline. Generally, however, school officials need not fear being found guilty of a substantive due process violation. Federal courts are loath to second-guess school officials. See *Tun v. Whitticker*, 398 F.3d 899 (7th Cir., 2005)(expulsion did not amount to a substantive due process violation because it fell short of the required *shocks the conscience* standard).

³⁰ 105 ILCS 5/10-22.6(b-5), amended by P.A. 99-456, eff. 9-15-2016. According to subsection c-5, "[s]chool districts must make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates." 105 ILCS 5/10-22.6(c-5), added by P.A. 99-456, eff. 9-15-2016).

³¹ 105 ILCS 5/10-22.6(h), added by P.A. 99-456, eff. 9-15-2016.

³² Most school attorneys advise against using a grade reduction as a disciplinary measure. A decision upholding such a policy is *Knight v. Board of Education*, 348 N.E.2d 299 (Ill.App. 4, 1976). A decision striking one is *Smith v. School City of Hobart*, 811 F.Supp. 391 (N.D.Ind., 1993)(grade reduction policy requiring 9-week grades to be reduced 4% for each day of a suspension was found unconstitutional).

³³ While restitution is permitted, issuing a fine or fee as a disciplinary consequence is not permitted (105 ILCS 5/10-22.6(i), added by P.A. 99-456, eff. 9-15-2016). The Parental Responsibility Law (740 ILCS 115/5) is discussed in a footnote in sample policy 7:170, *Vandalism*.

6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised. ³⁴
7. After-school study ~~or Saturday study~~ ³⁵ provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure may be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. ³⁶ The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules. ³⁷
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*. ³⁸
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*. ³⁹ A student who has been suspended ~~may~~ ^{will} also be restricted from being on school grounds and at school activities. ⁴⁰
12. Expulsion from school and all school activities for a definite time period not to exceed 2 calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. ⁴¹ A student who has been expelled also shall be restricted from being on school grounds and at school activities. ⁴²

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³⁴ State law does not address in-school suspensions. Providing an educational program during in-school suspensions will help distinguish them from exclusionary suspensions.

³⁵ Teachers may not be required to teach on Saturdays (105 ILCS 5/24-2).

³⁶ See *Herndon v. Chapel Hill-Carrboro City Bd.*, 89 F.3d 174 (C.A. 4, 1996) (upheld policy requiring students to complete community service in order to graduate).

³⁷ Consult the board attorney for advice concerning confiscated devices. There is no binding Ill. court decision regarding school personnel seizing and retaining a student's property. The Supreme Court of Arkansas held that a teacher and principal did not violate a student's state or federal rights when they confiscated and retained a student's cell phone for 2 weeks for violating school rules on cell phones. *Koch v. Adams*, 361 S.W.3d 817 (Ark. 2010).

³⁸ 105 ILCS 5/10-22.6(b) & (b-30), amended by P.A. 99-456, eff. 9-15-2016.

³⁹ A suspension may be imposed in only limited situations that vary according to the suspension's length (105 ILCS 5/10-22.6(b-15), amended by P.A. 99-456, eff. 9-15-2016). This is explained in sample board policy 7:200, *Suspension Procedures*, and its footnotes.

⁴⁰ This sentence is optional. A board may make this mandatory by replacing "may also be" with "shall also be."

⁴¹ An expulsion may be imposed in only limited situations (105 ILCS 5/10-22.6(b-20), amended by P.A. 99-456, eff. 9-15-2016). This is explained in sample board policy 7:210, *Expulsion Procedures*, and its footnotes.

105 ILCS 5/10-22.6(d) permits expulsion for a definite period of time not to exceed 2 calendar years. School officials must document whether other interventions were attempted or whether it was determined that there were no other appropriate and available interventions.

⁴² This sentence is optional. A board may make this mandatory by replacing "may also be" with "shall also be."

for disciplinary purposes

13. Transfer to an alternative program upon written agreement with the student's parent(s) or following a Board of Education hearing. 43
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), "look-alikes," alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

drugs or weapons

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

Corporal punishment is prohibited. Corporal punishment is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property. 44 45

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

43 105 ILCS 5/10-22.6(a)&(b). Subsection 10-22.6(b) uses the phrase "is suspended in excess of 20 school days" even though a 20-consecutive day suspension should be treated as an expulsion. *Goss v. Lopez*, 95 S.Ct. 729 (1975). An alternative program is probably available to a student who is suspended for 11 to 20 consecutive days because that student is technically expelled and, as such, qualifies under subsection (a) of Section 10-22.6. Contact the board attorney if the district wants to interpret the statute as referring to cumulative school days so that it can transfer a student to an alternative program upon his or her suspension in excess of 20 cumulative school days.

Contact the board attorney regarding the necessary due process procedures before imposing a disciplinary transfer to an alternative school. The court in *Leak v. Rich Twp High School Dist.* 227 (2015 IL App. 143202)(1st Dist, 9-9-2015), held that placement in an alternative school is tantamount to an expulsion. Thus, according to dicta in this decision, districts must follow expulsion procedures before a student is transferred to an alternative school. Schools may still reach agreements with parents/guardians to transfer students to such schools without completing the expulsion procedures.

The alternative program may not deny the transfer on the basis of the suspension or expulsion, except in cases in which the transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

44 This paragraph paraphrases 105 ILCS 5/24-24.

45 Staff members may **not** use isolated time out or physical restraint unless their use is authorized by policy and administrative procedure (105 ILCS 5/2-3.130, 5/10-20.33, and 5/24-24; 23 Ill.Admin.Code §1.280(c) and 1.285). See 7:190-AP4, *Use of Isolated Time Out and Physical Restraint*. **The sample policy prohibits the use of isolated time out and physical restraint by not specifically permitting their use.** State statute and ISBE rules contain complex restrictions on the use of isolated time out and physical restraints (105 ILCS 5/2-3.130, 5/10-20.33, and 5/24-24; 23 Ill.Admin.Code §1.280(c) and 1.285). According to the ISBE rule, isolated time out and physical restraints are prohibited unless a board authorizes their use in a policy containing the numerous components identified in the rule. **A board that wants to authorize the use of isolated time out and physical restraints should insert the paragraph below.** To comply with ISBE's rule, a board must also incorporate by reference the procedure developed by the superintendent, i.e., 7:190-AP4, *Use of Isolated Time Out and Physical Restraint*. By doing this, the procedure becomes part of the policy.

School staff members shall not use isolated time out and physical restraints other than as permitted in Section 10-20.33 of the School Code, State Board of Education rules, and procedures developed by the Superintendent.

Neither isolated time out nor physical restraints shall be used to discipline or punish a student.

If the above option is used, add the following before the Legal References on the final page: "Incorporated by Reference: 7:190-AP4, *Use of Isolated Time Out and Physical Restraint*."

Weapons 46

A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than 2 calendar years:

1. A firearm, meaning any gun, rifle, shotgun, ~~or~~ ^{or "lookalikes"} weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).
2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including "lookalikes" of any firearm as defined above.

The expulsion requirement under either paragraph 1 or 2 above may be modified by the Superintendent, and the Superintendent's determination may be modified by the Board on a case-by-case basis. The Superintendent or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in theatre, cooking, ROTC, martial arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm. 47

This policy's prohibitions concerning weapons apply regardless of whether: (1) a student is licensed to carry a concealed firearm, or (2) the Board permits visitors, who are licensed to carry a concealed firearm, to store a firearm in a locked vehicle in a school parking area. 48

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46 This section paraphrases 105 ILCS 5/10-22.6(d) and contains the statutorily required punishment for bringing a weapon to school along with the statutory definition of *weapon*. When preparing for a due process hearing, a principal needs to use the applicable State and federal law definitions of *firearm* – not just the School Code.

While subsection 105 ILCS 5/10-22.6(b-10), added by P.A. 99-456, explicitly forbids zero tolerance policies, it provides an exception for those zero tolerance policies established by State or federal law, which includes weapons in school. Section 10-22.6(d) provides that a student who brings a weapon to school, as defined in the section, "shall be expelled for a period not less than one year," unless modified by the superintendent or board. The federal Gun-Free Schools Act (20 U.S.C. §7151 et seq.) provides for at least a one year expulsion for students who bring firearms to school. Although subsection 10-22.6(d) allows the superintendent and the board to modify that consequence, the superintendent/board may decline to exercise that discretion and impose the maximum penalty authorized by law. Analyzing the student's circumstances on a case-by-case basis may avoid a judicial finding that an expulsion is too severe. See Washington v. Smith, 618 N.E.2d 561 (Ill.App., 1993).

Item #4 in the **Prohibited Student Conduct** section is broader because it prohibits "using, possessing, controlling, or transferring" a weapon in addition to violating the *Weapons* section.

47 Optional.

48 The Firearm Concealed Carry Act permits a properly licensed individual to carry a concealed firearm within a vehicle into a school parking area and store it a locked vehicle out of plain view (430 ILCS 66/65(b). The Federal Gun-Free Schools Act has a similar provision (20 U.S.C. §7151(g). The School Code, however, contains no similar exception to the ban on firearms at schools. Contact the board attorney before permitting students to store their firearms in their vehicle's trunk while parked at school.

Re-Engagement of Returning Students 49

The Superintendent or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit. 50

Required Notices

A school staff member shall immediately notify the office of the Building Principal in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member. 51 Upon receiving such a report, the Building Principal or designee shall immediately notify the local law enforcement agency, State Police, and any involved student's parent/guardian. 52 "School grounds" includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, expulsion, corporal punishment, or in-school suspension, that is appropriate and in accordance with the policies and rules on student discipline. Teachers, other certificated [licensed] educational employees, and other persons providing a related service for or with respect to a student, may use reasonable force as needed to maintain safety for other students, school personnel, or other

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49 Required by 105 ILCS 5/10-22.6(b-25), amended by P.A. 99-456, eff. 9-15-2016. See 7:190-AP8, *Student Re-Engagement Guidelines*.

50 A goal for re-engagement is optional. Schools must permit students who were suspended to make-up work for equivalent academic credit (105 ILCS 5/10-22.6(b-30), amended by P.A. 99-456, eff. 9-15-2016).

51 105 ILCS 5/10-27.1A, 5/10-27.1B, and 5/10-21.7. *School grounds* includes the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground. To satisfy the reporting requirement, ISBE created the School Incident Reporting System (SIRS), a web-based application on IWAS for schools to report incidents electronically. Reporting on SIRS does not satisfy the requirement to report incidents to local law enforcement authorities.

52 *Id.* State law imposes this duty to report firearm possession only on school officials; this duty may be also imposed on volunteers and community members. Only staff members, however, are vulnerable to committing a petty offense for their failure to report, and only staff members are protected from civil or criminal liability that might arise as a result of making a report (although the liability potential for anyone making a report is remote).

The building principal must notify the student's parents/guardians only when the alleged offense is firearm possession. The policy expands this notification duty; a board disinclined to do this should substitute the following sentence:

Upon receiving such a report, the Building Principal or designee shall immediately notify the applicable local law enforcement agency, State Police, and, if a student is reportedly in possession of a firearm, also the student's parents/guardians.

persons, or for the purpose of self-defense or defense of property. Teachers may temporarily remove students from a classroom for disruptive behavior. ⁵³

The Superintendent, Building Principal, ^{or designee} Assistant Building Principal, or Dean of Students is authorized to impose the same disciplinary measures as teachers. In addition, provided the appropriate procedures are followed, the Superintendent, Building Principal, ^{or designee} Assistant Principal, or Dean of Students may issue in-school suspensions; may issue out-of-school suspensions to students guilty of gross disobedience or misconduct (including all school functions) for up to 10 consecutive school days; and may suspend students from riding the school bus for up to 10 consecutive school days. ⁵⁴ The Board may suspend a student from riding the bus in excess of 10 school days for safety reasons. ⁵⁵

Student Handbook

The Superintendent, with input from the ^{PTO/A Presidents} ~~parent-teacher advisory~~ committee, ⁵⁶ shall prepare disciplinary rules implementing the District's disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval.

A student handbook, including the District disciplinary policies and rules, shall be distributed to the students' parents/guardians within 15 days of the beginning of the school year or a student's enrollment. Students and their parents/guardians must acknowledge receipt of the student handbook in some form upon receipt of the handbook.

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⁵³ 105 ILCS 5/24-24 requires: (1) teachers and other certificated [licensed] employees to maintain discipline, and (2) the district to have a policy on discipline that provides that:

[A] teacher, other certificated employee, and any other person, whether or not a certificated employee, providing a related service for or with respect to a student may use reasonable force as needed to maintain safety for the other students, school personnel or persons or for the purpose of self defense or the defense of property, shall provide that a teacher may remove a student from the classroom for disruptive behavior, and shall include provisions which provide due process to students. The policy shall not include slapping, paddling or prolonged maintenance of students in physically painful positions nor shall it include the intentional infliction of bodily harm.

See also 23 Ill.Admin.Code §1.280.

⁵⁴ Required by 105 ILCS 5/10-22.6(b).

⁵⁵ *Id.*

⁵⁶ The board must establish and maintain a parent-teacher advisory committee to develop guidelines on student discipline. See policy 2:150, *Committees*. This policy's dissemination requirements are from 105 ILCS 5/10-20.14.

A comprehensive student handbook can provide notice of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board. The Illinois Principals Association maintains a handbook service that coordinates with **PRESS** material. It is called *Online Model Student Handbook (MSH)*, and is described at www.ilprincipals.org/resources/model-student-handbook.

LEGAL REF.: Gun-Free Schools Act, 20 U.S.C. §7151 et seq.
Pro-Children Act of 1994, 20 U.S.C. §6081.
410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.
410 ILCS 647/, Powdered Caffeine Control and Education Act.
430 ILCS 66/, Firearm Concealed Carry Act.
105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/24-24, 5/26-12, 5/27-23.7, 5/31-3, and 110/3.10.
23 Ill.Admin.Code §1.280.

CROSS REF.: 2:150 (Committees), 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications), 8:30 (Visitors to and Conduct on School Property)

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Students

This policy becomes effective and replaces the policy on *Suspension Procedures* on the first student attendance day of the 2016-2017 school year.

Out-of-School Suspension Procedures 1

The Superintendent or designee shall implement out-of-school suspension procedures that provide, at a minimum, for each of the following: 3

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
2. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. An attempted phone call to the student's parent(s)/guardian(s) *is made.*
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall: 4

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

¹ State law requires districts to have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280). State or federal law controls this policy's content. For information about administering student discipline, see the U.S. Dept. of Education's and the U.S. Dept. of Justice's 2014 jointly released school discipline package, *Guiding Principles*, at: www2.ed.gov/policy/gen/guid/school-discipline/faq.pdf

Boards may authorize *by policy* the superintendent, building principal, assistant building principal, or dean of students to suspend students guilty of gross disobedience or misconduct from school, including all school functions (105 ILCS 5/10-22.6(b)). See 7:190, *Student Discipline*, for such an authorization.

³ Suspension procedures are required by State law (105 ILCS 5/10-22.6). The right to attend school is a property right protected by the due process clause of the U.S. Constitution. *Goss v. Lopez*, 95 S.Ct. 729 (1975). Imposing a short deprivation of this property right by suspending a student for 10 or fewer days requires only minimal due process. The student must be generally informed of the reasons for the possible suspension, and be permitted to tell his/her version of the story. Making a decision to suspend before the hearing violates the basic due process requirement that the hearing be meaningful. *Sieck v. Oak Park-River Forest High School*, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

105 ILCS 5/10-22.6(b) allows a student who is suspended in excess of 20 school days to be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of the School Code. A student cannot be denied transfer because of the suspension, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

Consult the board attorney for assistance if a suspension will exceed 10 consecutive school days. Subsection 10-22.6(b) uses the phrase "is suspended in excess of 20 school days" even though a 20-consecutive day suspension should be treated as an expulsion. *Goss v. Lopez*, 95 S.Ct. 729 (1975). For further discussion, see f/n 40 in policy 7:190, *Student Behavior*.

⁴ 105 ILCS 5/10-22.6, amended by P.A. 99-456, eff. 9-15-2016.

7:200

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- a. Provide notice to the parent(s)/guardian(s) of their child's right to a review of the suspension;
- b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit;⁵
- c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;
- d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
- e. Depending upon the length of the out-of-school suspension, include the following applicable information:
 - i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose: ⁶
 - a) A threat to school safety, or
 - b) A disruption to other students' learning opportunities.
 - ii. For a suspension of 4 or more school days, an explanation: ⁷
 - a) That other appropriate and available behavioral and disciplinary interventions have been exhausted,
 - b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student,⁸ and

Consult the board attorney (1) about the specific documentation required in this portion of the notice, and (2) to ensure that 7:200-E1, *Short Term Out-of-School Suspension (1-3 Days) Reporting Form* and 7:200-E2, *Long Term Out-of-School Suspension (4-10 Days) Reporting Form* reflect the exact practices that the district will use to implement this requirement.

⁵ Required by 105 ILCS 5/10-22.6(b-30).

⁶ 105 ILCS 5/10-22.6(b-15), amended by P.A. 99-456, eff. 9-15-2016 explains that "threat to school safety or a disruption to other students' learning opportunities" shall be determined by the school board or its designee on a case-by-case basis. Consult the board attorney for specific advice regarding the application of these statutory terms in this context (see f/n 8, below).

⁷ 105 ILCS 5/10-22.6(b-20), amended by P.A. 99-456, eff. 9-15-2016. School officials are granted the sole authority to determine on a case-by-case basis: (1) whether "appropriate and available behavioral and disciplinary interventions have been exhausted," and (2) whether "the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community, or (ii) substantially disrupt, impede, or interfere with the operation of the school." Consult the board attorney to request specific training for school officials to apply these statutory terms in this context (see f/n 5 above).

⁸ While school officials have discretion to determine the length of suspensions, they must resolve threats, address disruptions, and minimize the length of student exclusions to the greatest extent practicable (105 ILCS 5/10-22.6(b-20), amended by P.A. 99-456, eff. 9-15-2016). Consult the board attorney about the practical implementation of documenting other appropriate and available interventions for the student.

- c) That the student's continuing presence in school would either:
 - i) Pose a threat to the safety of other students, staff, or members of the school community, or
 - ii) Substantially disrupt, impede, or interfere with the operation of the school.
- iii. For a suspension of 5 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Superintendent or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.⁹
- 5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Superintendent or designee.
- 6. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board or a hearing officer appointed by the Board.¹⁰ At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the Superintendent or designee shall invite a representative from the Department of Human Services to consult with the Board.¹¹ After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall specifically detail items (a) and (e) in number 4, above.¹²

LEGAL REF.: 105 ILCS 5/10-22.6.
Goss v. Lopez, 95 S.Ct. 729 (1975).
Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

CROSS REF.: 5:100 (Staff Development), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct)

Last, the law also requires school districts to make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates (105 ILCS 5/10-22.6(c-5), amended by P.A. 99-456, eff. 9-15-2016).

⁹ 105 ILCS 5/10-22.6(b-25), amended by P.A. 99-456, eff. 9-15-2016.

¹⁰ A board may hear student disciplinary cases in a meeting closed to the public (5 ILCS 120/2(c)(9)).

¹¹ 105 ILCS 5/10-22.6(c).

¹² 105 ILCS 5/10-22.6(b), amended by P.A. 99-456, eff. 9-15-2016.

Students

This policy becomes effective and replaces the current policy on *Expulsion Procedures* on the first student attendance day of the 2016-2017 school year.

Expulsion Procedures ¹

The Superintendent or designee shall implement expulsion procedures that provide, at a minimum, for the following: ²

1. Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested. ³ The request shall: ⁴
 - a. Include the time, date, and place for the hearing.
 - b. Briefly describe what will happen during the hearing.
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to recommend expulsion.
 - d. List the student's prior suspension(s).
 - e. State that the School Code allows the School Board to expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis.

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

¹ State or federal law requires districts to have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280). State or federal law controls this policy's content. The discipline of special education students must comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education's Special Education rules. See 7:230, *Misconduct by Students with Disabilities*.

² Expulsion procedures are required by State law (105 ILCS 5/10-22.6(a)). The right to attend school is a property right protected by the due process clause of the U.S. Constitution. *Goss v. Lopez*, 95 S.Ct. 729 (1975). Thus, an expulsion of more than 10 days requires due process including, but not limited to, notice of the charges, an opportunity to hear the evidence in support of the charges, an opportunity to refute them, and a decision by an impartial decision maker based on the evidence presented. The adequacy of an expulsion hearing is frequently challenged; the board attorney should be consulted as every due process analysis will be highly fact specific. See 7/n 9, *infra*.

³ 105 ILCS 5/10-22.6(a). Whenever the term "registered mail" is used in the School Code, it shall be deemed to authorize the use of either registered mail or certified mail, return receipt requested (105 ILCS 5/1-3.5).

⁴ *Id.* Items a and b address due process, which includes the right to receive a notice with enough detail and with enough time to prepare a defense. Item c details the requirements pertaining to expulsions throughout 105 ILCS 5/10-22.6, amended by P.A. 99-456, eff. 9-15-2016. Items d through f are optional best practice inclusions. **Consult the board attorney about the specific documentation required in this portion of the notice to ensure the district's practice matches the policy language.**

- f. Ask that the student or parent(s)/guardian(s) or attorney inform the Superintendent or Board Attorney if the student will be represented by an attorney and, if so, the attorney's name and contact information.
2. Unless the student and parent(s)/guardian(s) indicate that they do not want a hearing or fail to appear at the designated time and place, the hearing will proceed. It shall be conducted by ~~the Board or a hearing officer appointed by it.~~ ^{the approved} ~~If a hearing officer is appointed, he or she shall report to the Board the evidence presented at the hearing and the Board shall take such final action as it finds appropriate. Whenever there is evidence that mental illness may be the cause for the recommended expulsion, the Superintendent or designee shall invite a representative from the Dept. of Human Services to consult with the Board.~~ ^{the} 5 6
3. During the expulsion hearing, the Board or hearing officer shall hear evidence concerning whether the student is guilty of the gross disobedience or misconduct as charged. School officials must provide: (1) testimony of any other interventions attempted and exhausted or of their determination that no other appropriate and available interventions were available for the student, and (2) evidence of the threat or substantial disruption, posed by the student. The student and his or her parent(s)/guardian(s) may be represented by counsel, offer evidence, present witnesses, cross-examine witnesses who testified, and otherwise present reasons why the student should not be expelled. 7 After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.
4. In determining the length of the student's expulsion, the Board also shall consider:
- a. The egregiousness of the student's conduct;
 - b. The history of the student's past conduct;
 - c. The likelihood that such conduct will affect the delivery of education for other students;
 - d. The severity of the punishment; and
 - e. The student's best interests.

INSERT A

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to the educational environment
would make it difficult to educate
students.

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

5 A board may hear student disciplinary cases in a meeting closed to the public (5 ILCS 120/2(c)(9)).

6 105 ILCS 5/10-22.6(c).

7 A student's opportunity to offer evidence, present witnesses, cross-examine witnesses, and otherwise present reasons why the student should not be expelled generally outweighs a district's interest in not providing the student these opportunities. See, Camlin v. Beecher Comm. Sch. Dist., 791 N.E.2d 127 (Ill.App. 3d Dist. 2003) and Colquitt v. Rich Tsp H. S. Dist., 699 N.E.2d 1109 (Ill.App. 1st Dist. 1998). Determining whether denying these opportunities would violate a student's right to due process requires a careful analysis of the facts and federal case law. See Brown v. Plainfield Dist., 500 F. Supp.2d 996 (N.D. Ill. 2007) and Coronado v. Valleyview Sch. Dist., 2008 WL 3316022 (7th Cir. 2008).

5. If the Board acts to expel the student, its written expulsion decision shall: ⁸
 - a. Detail the specific reason why removing the student from his or her learning environment is in the best interest of the school. ⁹
 - b. Provide a rationale for the specific duration of the recommended expulsion, as well as the rationale for any suspension that preceded the expulsion. ¹⁰
 - c. Document how school officials determined that all behavioral and disciplinary interventions have been exhausted by specifying which interventions were attempted or whether school officials determined that no other appropriate and available interventions existed for the student. ¹¹
 - d. Document how the student's continuing presence in school would (1) pose a threat to the safety of other students, staff, or members of the school community, or (2) substantially disrupt, impede, or interfere with the operation of the school. ¹²
 - e. Document whether available and appropriate support services were offered or provided during the suspension and, if they were not offered or provided, document that none were available.
6. Upon expulsion, the District may refer the student to appropriate and available support services. ¹³

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⁸ Consult the board attorney to request specific training for school officials to apply these statutory terms in the context of expulsions. See 7:210-E1, *Notice of Expulsion Hearing*. The law gives school officials discretion while also requiring them to resolve threats, address disruptions, and minimize the length of student exclusions to the greatest extent practicable (105 ILCS 5/10-22.6(b-20), amended by P.A. 99-456, eff. 9-15-2016). Yet, the law also requires school districts to make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resources offices, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates (105 ILCS 5/10-22.6(c-5), amended by P.A. 99-456, eff. 9-15-2016).

⁹ 105 ILCS 5/10-22.6(a).

¹⁰ *Id.*

¹¹ 105 ILCS 5/10-22.6(b-20), amended by P.A. 99-456, eff. 9-15-2016 requires and grants school officials the sole authority to determine on a case-by-case basis: (1) whether "appropriate and available behavioral and disciplinary interventions have been exhausted," and (2) whether "the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school."

¹² *Id.*

¹³ 105 ILCS 5/10-22.6(b-25). Consult the board attorney about transfers to an alternative program pursuant to Article 13A of the School Code. See *Leak v. Board of Education of Rich Township High School District 227*, 2015 IL App (1st) 143202, requiring *obiter dictum* that before school officials transfer students to alternative schools for extended periods of time, they must provide students with a meaningful opportunity to be heard.

LEGAL REF.: 105 ILCS 5/10-22.6(a).
Goss v. Lopez, 95 S.Ct. 729 (1975).

CROSS REF.: 5:100 (Staff Development); 7:130 (Student Rights and Responsibilities),
7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:230
(Misconduct by Students with Disabilities)

February 2016

7:220

Students

Bus Conduct ¹

All students must follow the District's *School Bus Safety Rules*.

School Bus Suspensions

The Superintendent, or any designee as permitted in the School Code, is authorized to suspend a student from riding the school bus for up to 10 consecutive school days for engaging in gross disobedience or misconduct, including but not limited to, the following:

1. Prohibited student conduct as defined in School Board policy, 7:190, *Student Behavior*.
2. Willful injury or threat of injury to a bus driver or to another rider.
3. Willful and/or repeated defacement of the bus.
4. Repeated use of profanity.
5. Repeated willful disobedience of a directive from a bus driver or other supervisor.
6. Such other behavior as the Superintendent or designee deems to threaten the safe operation of the bus and/or its occupants.

If a student is suspended from riding the bus for gross disobedience or misconduct on a bus, the School Board may suspend the student from riding the school bus for a period in excess of 10 days for safety reasons. The District shall provide the student with notice of the gross disobedience or misconduct and an opportunity to respond. ²

Academic Credit for Missed Classes During School Bus Suspension ³

A student suspended from riding the bus who does not have alternate transportation to school shall have the opportunity to complete or make up work for equivalent academic credit. It shall be the responsibility of the student's parent or guardian to notify the school that the student does not have alternate transportation.

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

¹ All districts must have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280). State law requires the parent-teacher advisory committee, in cooperation with school bus personnel, to develop with the board, school bus safety procedures (105 ILCS 5/10-20.14(c). See 4:110-AP3, *School Bus Safety Rules*.

² Attorneys disagree whether P.A. 99-456, eff. 9-15-16, applies to school bus suspensions; this sentence applies the law to school bus suspensions. 7:200, *Suspension Procedure*, satisfies the procedural requirements in 105 ILCS 5/10-22.6(b). Delete this sentence only at the direction of the board attorney.

³ The first sentence of this subhead is required by 105 ILCS 5/10-22.6(b-30), amended by P.A. 99-456, eff. 9-15-2016.

Electronic Recordings on School Buses 4

Electronic visual and audio recordings may be used on school buses to monitor conduct and to promote and maintain a safe environment for students and employees when transportation is provided for any school related activity. Notice of electronic recordings shall be displayed on the exterior of the vehicle's entrance door and front interior bulkhead in compliance with State law and the rules of the Illinois Department of Transportation, Division of Traffic Safety.

Students are prohibited from tampering with electronic recording devices. Students who violate this policy shall be disciplined in accordance with the Board's discipline policy and shall reimburse the School District for any necessary repairs or replacement.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.
105 ILCS 5/10-20.14, 5/10-22.6, and 10/
720 ILCS 5/14-3(m).
23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 7:130 (Student Rights and Responsibilities), 7:170 (Vandalism), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities), 7:340 (Student Records)

ADMIN. PROC.: 4:110-AP3 (School Bus Safety Rules)

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

⁴ This section is optional; it contains the statutory prerequisites for districts that want to use electronic audio and visual recording devices on school buses (720 ILCS 5/14-3(m), amended by P.A. 98-1142. These required prerequisites reside in an exception to the criminal eavesdropping statute. The criminal eavesdropping statute prohibits recording a conversation in which someone has a reasonable expectation of privacy without the consent of all parties but allows citizens to record public conversations without obtaining consent. While the criminal eavesdropping statute was legislatively corrected as of 12-30-2014, 720 ILCS 5/14-3(m) remains the same. Districts should consult with their board attorney regarding the requirements of the new statute.

In addition, consult with the board attorney concerning the status of video and/or audio recordings that were made on school buses. Confusion surrounds whether or not videotapes are *education records* for purposes of the federal Family Education Rights and Privacy Act (FERPA) and/or *school student records* as defined in the Ill. School Student Records Act (105 ILCS 10/). The Ill. State Board of Education (ISBE) considerably reduced the confusion by stating in its rule that *school student records* do not include video or other electronic recordings "created at least in part for law enforcement or security or safety reasons or purposes," (23 Ill.Admin.Code §375.10); ISBE rules also specify that: (1) electronic recordings made on school buses, as defined in the exemption from the criminal offense of eavesdropping in 720 ILCS 5/14-3, are not *school student records*, (*Id.*) and (2) no image on a school security recording may be designated as directory information (23 Ill.Admin.Code §375.80). This treatment exempts school bus videos from the multiple requirements in the Ill. School Student Records Act. However, when responding to a request under the Freedom of Information Act for recordings on school buses, a district will need to find an exemption other than the recording is a *school student record*.

February 2016

7:230

Students

Misconduct by Students with Disabilities ¹

Behavioral Interventions ²

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The School Board will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities.

Discipline of Special Education Students and Students with Section 504 Plans ³

The District shall comply with the *Individuals With Disabilities Education Act*, Section 504 of the *Rehabilitation Act of 1973*, and the Illinois State Board of Education's *Regulations* when disciplining students with disabilities. No student with a disability shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability.

Director of Student Services

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

¹ State or federal law controls this policy's content. State law requires each district to have a policy on student discipline (105 ILCS 5/10-20.14, amended by P.A. 99-456, eff. 9-15-2016; 23 Ill.Admin.Code §1.280) plus "policies and procedures" on behavioral interventions (105 ILCS 5/14-8.05). In its continuing commitment to help school districts and special education cooperatives comply with ISBE's requirements for policy and procedure, the Ill. Council of School Attorneys, special education committee, reviewed this policy and prepared extensive procedures, *Special Education Procedures Assuring the Implementation of Comprehensive Programming for Children with Disabilities*. These procedures plus other material are available gratis on the IASB website at iasb.com/law/icsaspedcd.cfm.

² State law specifies what must be covered in the mandatory "policies and procedures" on behavioral interventions (105 ILCS 5/14-8.05). They must "be developed with the advice of parents with students with disabilities and other parents, teachers, administrators, advocates for persons with disabilities, and individuals with knowledge or expertise in the development and implementation of behavioral interventions for persons with disabilities," (Id.). A board that wants to highlight the components of the procedures may add the following:

The committee shall review the State Board of Education's guidelines on the use of behavioral interventions and use them as a non-binding reference. This policy and the behavioral intervention procedures shall be furnished to the parents/guardians of all students with individual education plans within 15 days after their adoption or amendment by, or presentation to, the School Board or at the time an individual education plan is first implemented for a student; all students shall be informed annually of this policy and the procedures. At the annual individualized education plan review, this policy shall be given to the parents/guardians and the behavioral interventions procedures explained and made available to them on request.

³ A special education student may not be expelled for behavior or a condition that is a manifestation of the student's disability (34 C.F.R. §300.530).

7:230

Page 1 of 2

LEGAL REF.: Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1412, 1413, and 1415.
Gun-Free Schools Act, 20 U.S.C. §7151 et seq.
34 C.F.R. §§300.101, 300.530 - 300.536.
105 ILCS 5/10-22.6 and 5/14-8.05.
23 Ill.Admin.Code §226.400.
Honig v. Doe, 108 S.Ct. 592 (1988).

CROSS REF.: 2:150 (Committees), 6:120 (Education of Children with Disabilities),
7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior),
7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus
Conduct)

Consent Agenda

ACTION ITEM 16-08-6

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda of August 8, 2016.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

Personnel Report
August 8, 2016

Caitlin Cooney	Employ as Special Education Teacher at Washington School, effective August 15, 2016 - \$55,878.00. <i>"Salary amount is subject to change according to the outcome of the bargaining with PREA"</i> .
Kathryn Hurman	Employ as (.50) Part-time Kindergarten Teacher at Field School, effective August 15, 2016 - \$27,939.00. <i>"Salary amount is subject to change according to the outcome of the bargaining with PREA"</i> .
Dallas Klytta	Employ as (.40) Part-time Instrumental Music Teacher at Emerson School, effective August 15, 2016 - \$27,939.00. <i>"Salary amount is subject to change according to the outcome of the bargaining with PREA"</i> .
Joan Lindgren	Employ as (.50) Part-time Physical Education Teacher at Lincoln School, effective August 15, 2016 - \$27,939.00. <i>"Salary amount is subject to change according to the outcome of the bargaining with PREA"</i> .
Peter Pierucci	Employ as 10-Month Building Technologist at Lincoln School Effective 8/5/2016 - \$32,000.00.
Robert Rasmussen	Employ as 3rd Grade Teacher at Franklin School, effective August 15, 2016 - \$55,878.00. <i>"Salary amount is subject to change according to the outcome of the bargaining with PREA"</i> .
Stephanie Sosa Rosales	Employ as 12-month Level III Secretary for Student Services, at ESC start date August 8, 2016 - \$17.06 hr.
Shaun Wilkinson	Employ as School Psychologist Intern at Lincoln/Carpenter School effective August 15, 2016 – \$16,000.00.
Emilee Wolinetz	Employ as Special Education Resource Assistant at Washington School effective August 15, 2016 – \$15.78 hr. <i>"Salary amount is subject to change according to the outcome of the bargaining with PRTAA"</i> .
Danielle Bogolub	Employ / rehire as Special Needs Assistant at Franklin School effective August 15, 2016 – \$16.14 hr. <i>"Salary amount is subject to change according to the outcome of the bargaining with PRTAA"</i> .
Connie Espinosa	Employ / rehire as Assistant at Franklin School effective August 15, 2016 – \$16.14 hr. <i>"Salary amount is subject to change according to the outcome of the bargaining with PRTAA"</i> .

Personnel Report
August 8, 2016

Jennifer Goodman	Employ / rehire as Special Needs Assistant at Franklin School effective August 15, 2016 – \$15.48 hr. <i>“Salary amount is subject to change according to the outcome of the bargaining with PRTAA”.</i>
John Crowl	Employ / rehire as Math Intervention Teacher at Emerson School effective August 15, 2016 - \$57,699.00. <i>“Salary amount is subject to change according to the outcome of the bargaining with PREA”.</i>
Deirdre Gallagher	Employ / rehire as Special Needs Assistant at Franklin School effective August 15, 2016 – \$16.14 hr. <i>“Salary amount is subject to change according to the outcome of the bargaining with PRTAA”.</i>
Pam Johnson	Employ / rehire as Part-time (.50) C of C Teacher at Carpenter School effective August 15, 2016 – \$35,624.00. <i>“Salary amount is subject to change according to the outcome of the bargaining with PREA”.</i>
Minh Thu Thi Nguyen	Employ / rehire as Health Assistant at Carpenter School effective August 15, 2016 – \$16.14 hr. <i>“Salary amount is subject to change according to the outcome of the bargaining with PRTAA”.</i>
Renee Migon	Employ / rehire as Extended Day Assistant at Jefferson School effective August 15, 2016 – \$16.14 hr. <i>“Salary amount is subject to change according to the outcome of the bargaining with PRTAA”.</i>
Staci Rusch	Employ / rehire as (.57) Part-Time 4 hrs. per day Health Assistant at Jefferson School beginning August 15, 2016 - \$16.14 hr. <i>“Salary amount is subject to change according to the outcome of the bargaining with PRTAA”.</i>
Beth Snyder	Employ / rehire as One-on-One Special Needs Assistant at Franklin School effective August 15, 2016 – \$16.14 hr. <i>“Salary amount is subject to change according to the outcome of the bargaining with PRTAA”.</i>
Amy Tecu	Employ / rehire as (.50) Part-time Extended Day Assistant at Jefferson School effective August 15, 2016 – \$16.14 hr. <i>“Salary amount is subject to change according to the outcome of the bargaining with PRTAA”.</i>
Kelly Craig	Change of Assignment from Accounting Assistant Level IV to Accounting Specialist Level V effective July 1, 2016.

Personnel Report
August 8, 2016

Barbara Fisher	Change of salary from \$54,027.00 to \$57,662.00 from the July 18, 2016 Personnel Report.
Lynne Bugai	Leave of Absence Request, Personal – Kindergarten Teacher at Roosevelt School effective August 15, 2016 – June 2, 2017 (tentative).
Melissa Superfine	Leave of Absence Request, Maternity/FMLA – Special Education Teacher at Washington School effective August 15, 2016 – June 2, 2017 (tentative).
Carrie Carmichael	Resign as Early Childhood Teacher at Jefferson School effective June 2, 2016.
Gretchen Glauser	Resign as Instructional Resource Teacher at Lincoln School effective June 2, 2016.
Dimitra Katsoulis	Resign as Special Needs Assistant at Field School effective June 2, 2016.
Kevin Maloney	Resign as Extended Day Assistant at Jefferson School effective June 2, 2016.
Angela Taggart	Resign as 4th Grade Teacher at Field School effective June 2, 2016.
Margaret Makula	Retire as Instructional Resource Assistant at Lincoln School effective June 2, 2016.

Inspire every child to



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

Regular Board Meeting Agenda
Monday, August 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

- 6:00 p.m. **Meeting of the Board Convenes**
- Roll Call
 - Introductions
 - Opening Remarks from President of the Board
- 6:00 p.m. **• 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)]; 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)].
- 6:30 p.m. **Board Adjourns from Closed Session and Conducts Washington Construction Tour**
- 7:00 p.m. **• Board Resumes Regular Board Meeting**
- Pledge of Allegiance & Welcome Washington School Principal/students
 - Public Comments
 - District Institute Days & Opening Day Report A-1
-- Superintendent
 - NIPSTA Update & Crisis Go App A-2
-- Superintendent

- **Preliminary Discussion on Master Facilities Plan/Health Life Safety Projects 2017-18** A-3
 -- Superintendent
- **Reorganization of School Health Services** A-4
 -- Superintendent
- **Update on 2015-16 Financial Results** A-5
 -- Chief School Business Official
- **Preliminary Enrollment and Staffing Report** A-6
 -- Assistant Superintendent for Human Resources/
 Chief School Business Official
- **Approval of Copier Solutions** A-7
 -- Chief School Business Official Action Item 16-08-6
- **Ratify Roof at Carpenter School** A-8
 -- Chief School Business Official Action Item 16-08-7
- **Consent Agenda** A-9
 -- Board President Action Item 16-08-8
 - Personnel Report
 - Bills, Payroll and Benefits
 - Approval of Financial Update for the Period Ending July 31, 2016
 - Approval of Policies 7:190, 7:200, 7:210, 7:220, 7:230
 - Approval of Policies from PRESS Issue 90
 - Destruction of Audio Closed Minutes (none)
- **Approval of Minutes** Action Item 16-08-9 A-10
 -- Board President
 - Closed Session Meeting -----August 8, 2016
 - Regular Board Meeting -----July 18, 2016
 - Closed Session Meeting -----July 18, 2016
 - Regular Board Meeting -----June 27, 2016
- **Other Discussion and Items of Information** A-11
 -- Superintendent
 - Upcoming Agenda
 - District Committee Update (Elementary Learning Foundation)
 - Memorandum of Information
 - April 2017 Election
 - Minutes of Board Committees (none)
 - Other
 - Update on Summer Construction Projects
- **Adjournment**

Next Meeting: **Monday, September 12, 2016**
 Committee-of-the-Whole: 20th Century Learning– 7:00 p.m.

Lincoln School - Gym
200 S. Lincoln 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

Freedom of Information Act Request
2016-15

Forwarded message -----

From: <glauricella@smartprocure.us>

Date: Fri, Jul 15, 2016 at 9:48 AM

Subject: SmartProcure FOIA Request Park Ridge-Niles Community Consolidated School District No. 64
For PO/Vendor Information

To: lkolstad@d64.org

Dear Luann or Custodian of Public Records,

SmartProcure is submitting a commercial FOIA request to the Park Ridge-Niles Community Consolidated School District No. 64 for any and all purchasing records from 2016-03-16 to current. The request is limited to readily available records without physically copying, scanning or printing paper documents. Any editable electronic document is acceptable.

The specific information requested from your record keeping system is:

1. Purchase order number. If purchase orders are not used a comparable substitute is acceptable, i.e., invoice, encumbrance, or check number
2. Purchase date
3. Line item details (Detailed description of the purchase)
4. Line item quantity
5. Line item price
6. Vendor ID number, name, address, contact person and their email address
7. What is the beginning of your fiscal year?

The attached document may be helpful as a reference to fulfill this request if the Park Ridge-Niles Community Consolidated School District No. 64 stores the records using any of the pre-programmed software reports, but the records request is not limited to the reports listed.

Please email the information or use the following web link. There is no file size limitation:

<http://upload.smartprocure.us/?st=IL&org=ParkRidgeNilesCommunityConsolidatedSchoolDistrictNo64>

If this request was misrouted, please forward to the correct contact person and reply to this communication with the appropriate contact information.

If you have any questions, please feel free to respond to this email or I can be reached at [954-613-9528](tel:954-613-9528).

Regards,

Gabriella Lauricella

Data Acquisition Specialist

SmartProcure

Direct: [954-613-9528](tel:954-613-9528)

Email: glauricella@smartprocure.us | www.smartprocure.us

700 W. Hillsboro Blvd. Suite 4-100, Deerfield Beach, FL 33441

Freedom of Information Act Request
2016-16

From: Tom Brown <tbrown9902@gmail.com>
Date: July 20, 2016 at 8:55:59 PM CDT
To: btramm@d64.org
Subject: FOIA Request

Dear Ms Tramm,

I am requesting the gis shapefiles that describe the attendance boundaries of every public school in District 64.

Thank you,

Tom Brown
220 Belleplaine Ave
Park Ridge, IL 60068
[312-502-8213](tel:312-502-8213)



**Freedom of Information Act
2016-17**

Madelyn Wsol <mwsol@d64.org>

FOIA Request from NBC5 Chicago

1 message

Smyser, Katherine (NBCUniversal) <Katy.Smyser@nbcuni.com>

Thu, Jul 28, 2016 at 12:45 PM

To: "mwsol@d64.org" <mwsol@d64.org>

454 North Columbus Drive

A Division of National Broadcasting

Chicago, IL 60611-5555

Company, Inc.

312-836-5555

www.nbcchicago.com



July 28, 2016

Madelyn Wsol

Administrative Assistant to the Superintendent and FOIA Officer

Park Ridge CCSD 64

164 S Prospect Ave

Park Ridge, Illinois 60068 4035

Sent via e-mail to mwsol@d64.org

Dear Ms. Wsol:

This is a request under the Illinois Freedom of Information Act.

I am sending this FOIA request to all public school districts in the greater Chicago, Illinois

area, including Park Ridge CCSD 64.

I would like to find out:

- 1) Does Park Ridge CCSD 64 currently have any leases or agreements with telecommunications providers for cellular antennae and/or towers installed by the provider on your school property?
- 2) If so, I would like copies of all current lease agreements, including documents showing:
 - a. the location(s) of all cellular antennae and/or towers on Park Ridge CCSD 64's school property, and
 - b. the amount paid to the school district each year by the telecommunications company.

If you don't lease any of your school property to telecommunications providers for their towers or antennae, I would appreciate it if you could send me a quick e-mail reply, just letting me know that.

But if your district does currently have such leases, please send the current agreements to me at katy.smyser@nbcuni.com. If for some reason you cannot send these agreements via e-mail, please let me know as soon as possible, so I can make arrangements to get them from you. And if there is any way in which I can help gather these documents or otherwise assist you in getting this information and documentation, I would be happy to do so.

Because these records are in the public interest, I ask that you waive any reproduction fee. And if you deny this request, please tell me on what grounds, and to whom I should appeal.

If you have any questions concerning this request or need any additional information, please don't hesitate to contact me at katy.smyser@nbcuni.com or at 312-836-3187.

Thank you so much for your time and consideration in this matter.

Sincerely,

Katy Smyser

Producer