

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

**Board of Education Agenda
Monday, August 11, 2014
Special Board Meeting
Jefferson School – Multipurpose Room
8200 Greendale
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.

Monday, August 11, 2014

APPENDIX

TIME

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| 7:00 p.m. | <p>Meeting of the Board Convenes</p> <ul style="list-style-type: none"> • Roll Call • Introductions • Opening Remarks from President of the Board
 • Public Comments
 • Presentation and Discussion on MAP Data A-1
 -- Superintendent/Assistant Superintendent for Student Learning/
 Superintendent Morton Grove School District #70
 • First Reading from PRESS Policy Issue 84, February 2014
and Issue 85, May 2014 A-2
 -- Superintendent
 • Board of Education July 11 – 12 Study Session Summary A-3
 -- Superintendent/Board President
 • Technology Update A-4
 -- Director of Innovative Learning and Technology
 • Consent Agenda A-5
 -- Board President Action Item 14-08-1 <ul style="list-style-type: none"> • Personnel Report • Bills July 28, 2014 • Bills, Payroll and Benefits August 11, 2014 • Intergovernmental Agreement Between the Governing
Board of Niles Township District for Special Education 807
and the Board of Education of Park Ridge-Niles Community
School District 64 for the Provision of Certain Special Education
Services • Approval of Roofing Change Orders • Acceptance of Donations |
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- Closed Session Minutes.....July 12, 2014
- Special Board Meeting Minutes.....July 11, 2014
- Special Board Meeting Minutes.....July 7, 2014
- Closed Session Minutes.....July 7, 2014

• **Board Member Liaison Report** A-7
 -- Board of Education

• **Other Discussion and Items of Information** A-8
 -- Superintendent

- Upcoming Agenda
- Freedom of Information Act (FOIA)
- Memorandum of Information (none)
- Minutes of Board Committees (none)
- Summer School Traffic Safety
- Other
 - IASB Recertification of Membership
 - Triple I Conference November 2014
 - Overview System Assessment and Strategic Planning
 - Summer Construction Updates

• **Adjournment**

Next Meeting: **Monday, August 25, 2014**
 Regular Board Meeting – 7:30 p.m.
Jefferson School – Multipurpose Room
 8200 Greendale
 Niles, IL 60714

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

Upcoming Meetings and Topics
As of August 5, 2014

August 25, 2014 – Jefferson School – Multipurpose Room

Regular Board Meeting – 7:30 p.m.

- Preliminary Enrollment Report
- Farnsworth Report
- Superintendent Evaluation Update
- Evaluation Document: Secretaries, Custodians, and Maintenance
- Approval of July Financials Ending July 31, 2014
- Approval of Policies from PRESS Issue 84, February 2014 and PRESS Issue 85, May 2014
- Resolution # Recommending the Board Adopt a Copy Fee Schedule for FOIA Request
- Approval of Environ Contract Renewal
- Senior Tax Exchange Program (memo of information)
- Update on Summer Construction Projects (other)
- Update on Institute Day & Opening Day of School (other)
- Department of Student Learning Focus Areas (memo of information)
- Photo Session

September 8, 2014 – Jefferson School – Multipurpose Room

Committee-of-the-Whole: Finance – 6:30 p.m.

- Board Review Final Draft of the 2014-15 Budget

Public Hearing on the Budget – 7:15 p.m.

Special Board Meeting – 7:30 p.m.

- 1:1 Rollout Update
- PEAC Process Overview
- Facility Audit/Educational Adequacy
- Committee and Meeting Structures (IASB representative)
- Consent Agenda (Bills)

September 22, 2014 – Roosevelt School – North Gym

Regular Board Meeting – 7:30 p.m.

- Board Adopts the 2014-15 Budget
- 2015 School Board Elections
- Board Member School Visits
- Approval of August Financials Ending August 31, 2014
- Update on Year 1 Implementation of Math Program (memo of information)
- Follow-up on Collection of Student Fees (memo of information)
- ISBE Report: Administrator & Teacher Salary and Benefits - School Year 2014 (memo)
- Sixth Day of Enrollment Report
- Annual Recognition of Schools
- Administration to Student Ratio Comparisons

October 27, 2014 – Field School – North Gym

Committee-of-the-Whole: Finance – 7:00 p.m.

- Board Reviews the 2014 Proposed Tax Levy

Regular Board Meeting – 7:30 p.m.

- Board Sets Date of Public Hearing for the 2014 Tax Levy
- Update on Raptor
- Approval of September Financials Ending September 30, 2014
- Follow-up on Collection of Student Fees (memo of information)

November 17, 2014 – Franklin School – Gym

Regular Board Meeting – 7:30 p.m.

- Summer Interim Session 2014 Report
 - Presentation and Approval of Summer Interim Session 2015 Dates & Fees
 - Annual Audit Report FY14
 - Approval of October Financials Ending October 31, 2014
 - Follow-up on Collection of Student Fees (memo of information)

Upcoming Board Topics

- Recognition of Blue Ribbon Award - IAHPERD (12/15/14)
- Approval of November Financials Ending November 30, 2014

TBD

- Report on English Language Learners and Changing Needs
- Discussion on Class Size Determination Process
- Plans for Community Finance Committee
- Progress Report on 2013-14 District-wide Priorities & Strategic Plan Activities (memo of info.)
- Discussion of the Education Adequacy Study • Update on Raptor System
- Discussion of Superintendent Merit Award Program
- Presentation and Adoption of Updates on Board of Education Operating Principles
- First Reading of Policies from PRESS Issue 85, May 2014
- Approval of Policies from PRESS Issue 85, May 2014 (Consent Agenda)

The above are subject to change.

All action items included
in this packet are subject to
final Board approval.

DATE: August 11, 2014
TO: District 64 Board of Education
FROM: Dr. Lori Hinton, Assistant Superintendent for Student Learning
RE: District 64 Status and Growth Targets

Background

At the June 23, 2014, Board Meeting, a presentation about MAP achievement data prompted a discussion focused on two questions:

1. How will District 64 *measure* the impact of our educational program on reading and math achievement?
2. How will District 64 *communicate* the impact of our educational program with all stakeholders?

This report proposes answers to these questions based on consultation with colleagues from other districts and NWEA.

Question 1: How will District 64 *measure* the impact of our educational program on reading and math achievement?

District 64 will measure the impact of our educational program on reading and math achievement by setting and monitoring high-performing targets for both *status* and *growth*.

Status Targets

MAP results are reported using a RIT scale that enables districts to measure student growth from 2nd - 8th grade. NWEA has established a target RIT for each grade level based on national norms. In addition, a 2002 study of high-performing school districts across the country can provide districts like District 64 with guidance for establishing goals when aligned with the 2011 norms study.

Growth Targets

NWEA has established targets for a student's "expected growth" over the course of the year on the MAP assessment. This expected growth is projected based on a student's baseline RIT score and grade level. According to NWEA, a district where 70% or more of students are meeting or exceeding their growth targets is experiencing "aggressive growth." The 2011 NWEA School Growth Norm Study can provide districts with guidance when interpreting growth compared to other schools nationwide.

At the Board Study Session in August 2013, the Board expressed the desire to set targets related to the percentage of students meeting their individual growth targets on the Reading and Math MAP. In October 2014, a district-wide target was established for Reading. It was also proposed that a district-wide Math target be established in early 2014 due to the implementation of the new K-8 math program. At this time, we are recommending a shift from setting district-wide targets to setting individual grade-level targets.

Question 2: How will District 64 communicate the impact of our educational program on Math and Reading?

District 64 will communicate the impact of our educational program through a dashboard that monitors grade-level progress toward 20 high-performing status and growth goals (i.e., status goals for Reading and Math in grades 3-7 and growth goals for Reading and Math in grades 3-7). Our goal is to achieve the target in 20 out of 20 high-performing indicators.

In Math, District 64 currently meets or exceeds NWEA’s high-performing norm (HP) in all grade levels. In Reading, District 64 meets or exceeds the high-performing norm in all grade levels by *three or more RIT points* (HP +3). Based on current achievement levels, we would recommend setting Status Goals that exceed the high-performing norm. Below is a sample dashboard for MAP Status Goals:

2014-15 SAMPLE Dashboard for MAP Status Goals

Grade	Math	Reading
3	HP+X	HP+X
4	HP+X	HP+X
5	HP+X	HP+X
6	HP+X	HP+X
7	HP+X	HP+X

District 64 currently meets or exceeds national growth norms in all grade levels with the exception of 3rd-5th grade in the area of Math. Based on current achievement levels, we recommend setting aggressive targets for 3rd-5th grade math to achieve the national norm at these grade levels. Other grade levels would target “high performing norms” (HP), which can be described as 63-69% of students meeting their growth targets and “high performing plus” norms (HP+), which can be described as 70% or more of students meeting their growth targets. Below is a sample dashboard for MAP Growth Goals:

2014-15 Sample Dashboard for MAP Growth Goals

Grade	Math	Reading
3	+X (National Norm)	+X (HP+)
4	+X (National Norm)	+X (HP+)
5	+X (National Norm)	+X (HP+)
6	+X (HP +)	+X (HP+)
7	+X (HP +)	+X (HP)

Next Steps

In September, principals will meet with grade level teams and departments to share this information and seek consultative feedback about our goals. Because this fall will only be our second administration of the Common Core-aligned MAP, we will also use our fall data to inform the goal-setting process. For the first time, grade-level goals and fall baseline data will be shared with the Board in October.

First Reading of Policies from PRESS Issue 84, February 2014 and PRESS Issue 85, May 2014

Policy 2:30	Issue 84	School Board – School District Elections
Policy 2:100	Issue 84	School Board – Board Member Conflict of Interest
Policy 2:110	Issue 84	School Board – Qualifications, Term, and Duties of Board Officers
Policy 4:30	Issue 84	Operational Services – Revenue and Investments
Policy 5:10	Issue 84	General Personnel – Equal Employment Opportunity and Minority Recruitment
Policy 5:30	Issue 84	General Personnel – Hiring Process and Criteria
Policy 5:35	Issue 84	General Personnel – Compliance with the Fair Labor Standards Act
Policy 5:190	Issue 84	General Personnel – Teacher Qualifications
Policy 5:240	Issue 84	General Personnel – Suspension
Policy 6:65	Issue 84	Instruction – Student Social and Emotional Development
Policy 6:160	Issue 84	Instruction – English Language Learners
Policy 7:70	Issue 84	Students – Attendance and Truancy
Policy 7:140	Issue 84	Students – Search and Seizure
Policy 7:180	Issue 84	Students – Preventing Bullying, Intimidation, and Harassment
Policy 8:95	Issue 84	Community Relations – Parental Involvement
Policy 4:100	Issue 85	Operational Services – Insurance Management
Policy 4:160	Issue 85	Operational Services – Environmental Quality of Buildings and Grounds
Policy 4:170	Issue 85	Operational Services – Safety
Policy 4:175	Issue 85	Operational Services – Convicted Child Sex Offender; Criminal Background Check and/or Screen; Notifications
Policy 5:280	Issue 85	Educational Support Personnel – Duties and Qualifications
Policy 6:150	Issue 85	Instruction – Home and Hospital Instruction (Currently under review.)
Policy 7:250	Issue 85	Students – Student Support Services

School Board

School District Elections ¹

School District elections are non-partisan, governed by the general election laws of the State, and include the election of School Board members, various public policy propositions, and advisory questions. ² Board members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years. ³ If, however, that date conflicts with the celebration of Passover, the consolidated election is postponed to the first Tuesday following the last day of Passover. ⁴ The canvass of votes is conducted by the election authority within 21 days after the election. ⁵

~~The Board's election duties are:~~

The Board, by proper resolution, may ~~place cause to be placed~~ on the ballot: (a) public policy referendum according to Article 28 of the Election Code, or (b) advisory questions of public policy according to Section 9-1.5 of the School Code. ⁶

~~The Board President, Secretary, and the member with the longest continuous service compose the Education Officers Electoral Board to hear and rule on objections to candidate nominating petitions and public questions. However, if any member of the Electoral Board is a candidate for the office for which the objection petition is filed, he or she is replaced on the Electoral Board by the School Board member with the second longest continuous service.~~

~~The Board Secretary or clerk serves as the local election official, assisted by designated representatives appointed by the Board. The Board Secretary serves as the local election official. He or she receives petitions for the submission of a public question to referenda and forwards them to the~~

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

¹ State law controls this policy's content. Consult the board attorney early concerning any election question.

² ~~105 ILCS 5/9-10, amended by P.A. 98-115, provides that nominating petitions are filed with the county clerk or the county board of election commissioners if one was created pursuant to 10 ILCS 5/6A-1. Objections to nominating petitions or to a petition for a public question are submitted to the county officers electoral board (10 ILCS 5/10-8 and 10-9, amended by P.A. 98-115). P.A. 98-115 amended the Election Code regarding reportable campaign contributions (10 ILCS 9-1.8); simultaneous filing of nominating petitions (10 ILCS 5/10-6.2); withdrawal from nomination (10 ILCS 5/10-7); Electoral Board duties (10 ILCS 5/10-10); and advertising in proximity of a polling place (10 ILCS 5/19A-70). See also 10 ILCS 5/1-3 (definitions), 5/2A (time of holding elections), and 5/28 (submitting public questions). The school board secretary or clerk has no statutory duties regarding the election of members to the school board. He or she is well advised to refer all questions to the county clerk or the county board of election commissioners, whichever is applicable.~~

³ 10 ILCS 5/2A-1.1.

⁴ 10 ILCS 5/2A-1.1a.

⁵ ~~All local canvassing boards were abolished in 2006 and school boards no longer canvass elections.~~ The appropriate election authority (county clerk or election commission) canvasses the vote for school district elections (10 ILCS 5/1-8). The election authority must canvass the vote within 21 days after the election (10 ILCS 5/22-17 and 5/22-18). Within 28 days after the consolidated election, boards must hold an organizational meeting to elect officers and fix a time and place for regular meetings (105 ILCS 5/10-16). See policy 2:210, *Organizational School Board Meeting*.

⁶ This policy addresses two types of public questions: (1) binding referendum governed by 10 ILCS 5/28, and (2) advisory questions of public policy governed by 105 ILCS 5/9-1.5. An advisory question must be authorized by majority vote of the board. A third type of public question – a voter-initiated petition – is not covered in the policy; the board does not have any duties regarding this type of petition. A voter-initiated petition must be filed with the school board secretary who, if the timelines are met, must certify the question to be placed on the ballot to the county clerk (10 ILCS 5/10-15, 5/28-2, and 5/28-5).

proper election officer and otherwise provides information to the community concerning District elections.⁷

LEGAL REF.: 10 ILCS 5/1-3, 5/2A, 5/10-9, 5/22-17, 5/22-18, and 5/28.
105 ILCS 5/9 and 5/9-1.5.

CROSS REF.: 2:40 (Board Member Qualifications), 2:50 (Board Member Term of Office),
2:210 (Organizational School Board Meeting)

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

⁷ 10 ILCS 5/28-6 provides that any petition for the submission of a public question to referendum must be filed with the local election official. The board secretary or clerk is the local election official (105 ILCS 5/9-2 and 10 ILCS 5/1-3). P.A. 98-115 reassigned many duties of the local election official; see f/n 2. The board may delete the following PR function: "and otherwise provides information to the community concerning District elections."

School Board

Board Member Conflict of Interest ¹

No School Board member shall have a beneficial interest directly or indirectly in any contract, work, or business of the District unless permitted by State law. ²

Board members must annually file a *Statement of Economic Interests* as required by the Illinois Governmental Ethics Act. ³ Each Board member is responsible for filing the statement with the county clerk of the county in which the District's main office is located by May 1.

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

¹ State law controls this policy's content. Conflict of interest is comprehensively discussed in the Ill. Council of School Attorneys' publication, *Answers to FAQs, Conflict of Interest and Incompatible Offices*, www.iasb.com/law/conflict.cfm.

² The School Code prohibits a school board member from having an interest in a contract with the district he or she serves. Exceptions to this rule permit a board member to provide materials, merchandise, property, services, or labor if: (1) the board member has less than a 7½% share in the ownership of the business; the board member publicly discloses the interest; the board member abstains from voting on the contract; the contract is approved by a majority vote; the contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds \$1500, or awarded without bidding if the amount of the contract is less than \$1500; and the award of the contract would not cause the aggregate amount of all such contracts so awarded in the same fiscal year to exceed \$25,000; OR (2) the contract is approved by a majority vote, provided that any such interested member shall abstain from voting; the amount of the contract does not exceed \$1000 or the award of the contract does not cause the aggregate amount of such contracts to the same individual to exceed \$2000 in the same fiscal year, or \$5,000 in the same fiscal year if the labor or materials to be provided are not otherwise available in the district; and the interested member publicly discloses the interest. See 105 ILCS 5/10-9 for other exceptions.

A board member does not have a prohibited interest in a contract with the district he or she serves "if the board member is an employee of a business that is involved in the transaction of business with the school district, provided that the board member has no financial interests other than as an employee," (105 ILCS 5/10-9).

The Public Officer Prohibited Activities Act prohibits a governing body member from being "in any manner financially interested directly in his own name or indirectly in the name of any other person, association, trust, or corporation, in any contract or the performance of any work in the making or letting of which such officer may be called upon to act or vote," (50 ILCS 105/3). Exceptions to this prohibition are similar to those in the School Code.

Generally, an individual may be a board member at a school district that employs his or her spouse. Indeed, 105 ILCS 5/10-22.3a specifically allows a board member to participate in a group health insurance program provided to a district employee if the board member is that employee's dependent, i.e., spouse or child. However, this is a fact-sensitive inquiry; a board member should seek legal counsel before voting on anything related to his or her spouse. See the *Answers to FAQs*, referenced in footnote 1.

A violation of the School Code or Public Officer Prohibited Activities Act is a Class 4 felony. Due to the severity of this penalty as well as to avoid the appearance of impropriety, a legal opinion should be obtained before a board member becomes financially interested in any contract with his or her district. Abstaining on the vote, or absence from the meeting when the vote is taken, does not negate an otherwise illegal conflict of interest.

³ 5 ILCS 420/4A-101 and 4A-105 through 107. Any county clerk may implement a system of Internet-based filing for economic interest statements, but must allow filers the option to use a standardized form (5 ILCS 420/4A-108). If an Internet-based filing system is used, the clerk must post the statements, without filers' addresses, on a publicly accessible website (*Id.*).

Each candidate for the school board must file with the county clerk or the county board of election commissioners, whichever is applicable, a receipt from the county clerk showing that the candidate has filed a *Statement of Economic Interests* as required by the Ill. Governmental Ethics Act (5 ILCS 420/4A). A candidate's name will be stricken from the ballot if he or she files the incorrect *Statement of Economic Interests* form (Ferrand v. Chicago Bd of Election Comm., 2014 Ill.App.1st 140225 (2-13-2014); Cortez v. Municipal Officers Electoral Board, 986 N.E.2d 689 (Ill. App., 2-25-2013).

LEGAL REF.: 5 ILCS 420/4A-101, 420/4A-105, 420/4A-106, and 420/4A-107.
50 ILCS 105/3.
105 ILCS 5/10-9.

CROSS REF.: 2:105 (Ethics and Gift Ban), 5:120 (Ethics and Conduct)

School Board

Qualifications, Term, and Duties of Board Officers ¹

The School Board officers are: President, Vice President, Secretary, and Treasurer. ² These officers are elected or appointed by the Board at its organizational meeting.

President ³

The Board elects a President from its members for a 2-year term. The duties of the President are to:

1. Focus the Board meeting agendas on appropriate content and preside at all meetings;
2. Make all Board committee appointments, unless specifically stated otherwise; ⁴
3. Attend and observe any Board committee meeting at his or her discretion; ⁵
4. Represent the Board on other boards or agencies;
- ~~5. Serve as chairperson of the Education Officers Electoral Board which hears challenges to Board candidate nominating petitions;~~
- ~~6.7.~~ ^{5.} Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
- ~~7.6.~~ ^{6.} Call special meetings of the Board;
- ~~8.7.~~ ^{7.} Serve as the *head of the public body* for purposes of the Open Meetings Act and Freedom of Information Act; ⁶
- ~~9.8.~~ ^{8.} Ensure that a quorum of the Board is physically present at all Board meetings; ⁷
- ~~10.9.~~ ^{9.} Administer the oath of office to new Board members; and ⁸

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

¹ State law controls this policy's content. Selection of officers must be in open session (5 ILCS 120/2). Board officer vacancies are discussed in *Answers to FAQs: Vacancies on the Board of Education*, Ill. Council of School Attorneys, www.iasb.com/law/vacancies.cfm.

² Districts governed by a board of directors have 3 officers: a president, clerk, and treasurer. The president and clerk must be board members (105 ILCS 5/10-5).

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

Of the listed duties, only the following are imposed by law: #1, preside at meetings (Id.); #5, ~~chair Education Officers Electoral Board (10 ILCS 5/10-9); #6,~~ sign minutes (105 ILCS 5/10-7) and sign certificate of tax levy (105 ILCS 5/17-11); ~~#7~~ ⁶, call special meetings (105 ILCS 5/10-16); and ~~#8~~ ⁷, serve as *head of the public body* for OMA and FOIA purposes (5 ILCS 140/2(e), 140/7(f), and 140/9.5).

⁴ Alternatively, strike the "unless" clause and substitute: "subject to Board approval." Be sure this treatment is consistent with policy 2:150, *Committees*.

⁵ Optional. A board that wants the president to participate in committee meetings may use the following alternative: "Be a member of all Board committees." Using this alternative, the president would be counted to determine the number of members that constitutes a quorum for each board committee meeting. If a board would like the superintendent to attend any or all meetings of a board committee, it should consider asking the superintendent to be a committee resource person (or other such title) rather than an ex-officio member of the board committee itself. That way, the superintendent will not count to determine the number of committee members that constitutes a quorum.

⁶ The *head of the public body* or its attorney may request an advisory opinion from the Attorney General concerning compliance with the Open Meetings Act or the Freedom of Information Act (5 ILCS 120/3.5(h) and 5 ILCS 140/9.5(h)). The Freedom of Information Act defines *head of the public body* to mean *president* or "such person's duly authorized designee" (5 ILCS 140/2(e)). Preliminary drafts, recommendations, and other records in which opinions are expressed, or policies are formulated, lose this exemption from disclosure if a relevant portion of a requested record is publicly cited and identified by the *head of the public body* (5 ILCS 140/7(f)).

⁷ Optional. Requiring the president to monitor the presence of a quorum assists compliance with the Open Meetings Act's mandate that a quorum be physically present at all board meetings (5 ILCS 120/7).

11.10. Serve as the Board's official spokesperson to the media.

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

The Vice President fills a vacancy in the Presidency. 9

Vice President 10

The Board elects a Vice President from its members for a 2-year term. The Vice President performs the duties of the President if:

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

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

Secretary 11

The Board elects a Secretary for a 2-year term. The secretary may be, but is not required to be, a Board member. The Secretary may receive reasonable compensation as determined by the Board before appointment. However, if the secretary is a Board member, the compensation shall not exceed \$500 per year, as fixed by the Board at least 180 days before the beginning of the term. The duties of the Secretary are to:

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

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

9 105 ILCS 5/10-13.1 states that the "vice-president shall perform the duties of the president if there is a vacancy in the office of president or in case of the president's absence or inability to act" However, an earlier enacted statute calls for the appointment of a *president pro tempore* if the president is absent from any meeting or refuses to perform his or her duties, and specifies that the "vice-president, if the board elects such officer, shall be appointed the *president pro tempore*." (105 ILCS 5/10-13). This policy resolves any confusion by implementing the latter enacted statute and stating that the vice president fills a vacancy in the presidency.

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

11 105 ILCS 5/10-14. The board by resolution may decrease to one year the term of office for the secretary. In districts governed by a board of directors, a clerk who is a board member performs these duties (105 ILCS 5/10-5). The policy's provisions regarding compensation are required by 105 ILCS 5/10-14 (governs secretaries who are board members and non-board members) and by 50 ILCS 145/2 (governs secretaries who are board members).

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

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" in item #4 with "appropriate Intermediate Service Center." P.A. 96-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

8. Sign official District documents requiring the Secretary's signature; and
9. Maintain Board policy and such other official documents as directed by the Board.

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

Recording Secretary 12

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

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

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

Treasurer 13

Current language Co. Treasurer

Insert A
The Treasurer of the Board shall be either a member of the Board who serves a 1-year term or a non-Board member who serves at the Board's pleasure. 14 A Treasurer who is a Board member may not be compensated. 15 A Treasurer who is not a Board member may be compensated provided it is established before the appointment. 16 The Treasurer must: 17

1. Be at least 21 years old;
2. Not be a member of the County Board of School Trustees; and

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

12 This section is optional.

13 This section is for: (1) districts in a Class I, or (2) a Class II county (Cook Co.) district that has withdrawn from the authority of the township treasurer or is located in a township in which the office of township treasurer was abolished. 105 ILCS 5/5-1 defines Class I county school units as districts in counties with less than 2,000,000 inhabitants. Those districts in Cook County (Class II county) under the authority of the trustees of schools of the township and the township treasurers should use this alternative: "Qualifications, appointment, and duties of the Treasurer for the School District shall be as provided in the School Code." See 105 ILCS 5/8-1(a) for how the township treasurer is appointed and the term of office; duties are found in 105 ILCS 5/8-2, 5/8-6, 5/8-16, and 5/8-17.

14 105 ILCS 5/8-1(b). The treasurer's term of office is 2 years if the district is located in a Class II county (Cook Co.) that was under the jurisdiction and authority of the township treasurer and township trustees of schools at the time those offices were abolished (105 ILCS 5/8-1(c)). Those boards should use the following alternative:

The Treasurer of the Board shall serve a 2-year term beginning and ending on the first day of July.

15 105 ILCS 5/8-1(b) and (c).

16 105 ILCS 5/8-3.

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

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

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

3. Have a financial background or related experience, or 12 credit hours of college-level accounting.

The Treasurer shall: **18**

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

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

LEGAL REF.: 5 ILCS 120/7 and 420/4A-106.
105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8,
5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, and 5/17-1.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:210 (Organizational School Board Meeting)

Treasurer

Qualifications, appointment, and duties of the Treasurer for the School District shall be as provided in The School Code.

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18 105 ILCS 5/8-2, 5/8-6, and 5/8-16.

Operational Services

Revenue and Investments 1

Revenue

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

Investments

The Maine Township School Treasurer shall act as the Chief Investment Officer. The Chief Investment Officer shall invest money that is not required for current operations, in accordance with this policy and State law.

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

Investment Objectives 5

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

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

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¹ Each district must have an investment policy (30 ILCS 235/2.5); its detail and complexity must be appropriate to the nature of the funds, the funds' purpose, and the amount of the public funds within the investment portfolio.

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

³ Township and school treasurers are authorized by 105 ILCS 5/8-7 to enter into agreements regarding the deposit, investment, and withdrawal of district funds.

⁴ The policy must include a standard of care (30 ILCS 235/2.5(a)(2).

⁵ The policy must address safety, liquidity, return (30 ILCS 235/2.5(a), as well as diversification (30 ILCS 235/2.5(a)(4). These objectives also serve as investment guidelines (30 ILCS 235/2.5(a)(3). How these are addressed is at the board's discretion.

Authorized Investments 6

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

1. Bonds, notes, certificates of indebtedness, treasury bills, or other securities now or hereafter issued, that are guaranteed by the full faith and credit of the United States of America as to principal and interest.
2. Bonds, notes, debentures, or other similar obligations of the United States of America, its agencies, and its instrumentalities.

The term “agencies of the United States of America” includes: (i) the federal land banks, federal intermediate credit banks, banks for cooperative, federal farm credit banks, or any other entity authorized to issue debt obligations under the Farm Credit Act of 1971 and Acts amendatory thereto, (ii) the federal home loan banks and the federal home loan mortgage corporation, and (iii) any other agency created by Act of Congress.

3. Interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act.
4. Short term obligations of corporations organized in the United States with assets exceeding \$500,000,000 if: (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and that mature not later than 270 days from the date of purchase, (ii) such purchases do not exceed 10% of the corporation’s outstanding obligations, and (iii) no more than one-third of the District’s funds may be invested in short term obligations of corporations.
5. Money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) and to agreements to repurchase such obligations.

6. Interest-bearing bonds of any county, township, city, village, incorporated town, municipal corporation, school district, the State of Illinois, any other state, or any political subdivision or agency of the State of Illinois or any other state, whether the interest earned is taxable or tax-exempt under federal law. The bonds shall be (a) registered in the name of the municipality, county, or other governmental unit, or held under a custodial agreement at a bank, and (b) rated at the time of purchase within the 4 highest general classifications established by a rating service of nationally recognized expertise in rating bonds of states and their political subdivisions.

~~6.7.~~ Short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations

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6 The policy must contain a “listing of authorized investments” (30 ILCS 235/2.5(a)(1). 30 ILCS 235/2(a-1), amended by P.A. 98-297, now allows school districts to invest public funds in interest-bearing bonds of any local government (see paragraph 6). Investments from which a board may choose are all listed in this policy (see 30 ILCS 235/2). Alternatively, a board may refer to that law by stating: “The Chief Investment Officer may invest any District funds in any investment as authorized in 30 ILCS 235/2, and Acts amendatory thereto.”

As part of its mission to protect public entities, the Municipal Securities Rulemaking Board (MSRB) has the following resources available that school officials may find helpful:

1. A State and Local Government Toolkit at: www.msrb.org/MSRB-For/Issuers/Issuer-Toolkit.aspx. It provides information about bond issuance and required disclosures.
2. Resources about issuing bonds at: www.msrb.org/MSRB-For/Issuers.aspx.

incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations, the shares, or investment certificates that are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of the Chief Investment Officer, the public funds so invested will be required for expenditure by the District or its governing authority.

~~7.8.~~ Dividend-bearing share accounts, share certificate accounts, or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principle office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.

~~8.9.~~ A Public Treasurers' Investment Pool created under Section 17 of the State Treasurer Act. The District may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.

~~9.10.~~ The Illinois School District Liquid Asset Fund Plus. ⁷

~~10.11.~~ Repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued there under. The government securities, unless registered or inscribed in the name of the District, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

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

- a. The securities, unless registered or inscribed in the name of the District, are purchased through banks or trust companies authorized to do business in the State of Illinois.
- b. The Chief Investment Officer, after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to "purchase" specified securities from a designated institution. The "custodial bank" is the bank or trust company, or agency of government, that acts for the District in connection with repurchase agreements involving the investment of funds by the District. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements.

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⁷ The Illinois School District Liquid Asset Fund Plus is an Illinois trust organized to permit Illinois school districts, community colleges, and educational service regions to pool their investment funds to obtain the highest possible investment yield consistent with maintaining liquidity and preserving capital, and to engage in cooperative cash management activities resulting in more efficient financial resource utilization. The program was developed in cooperation with the Illinois Association of School Boards, the Illinois Association of School Business Officials, and the Illinois Association of School Administrators. To receive marketing information and the name of the marketing representative, contact: PMA Financial Network, Inc., Illinois School District Liquid Asset Fund Plus, www.isdlafplus.com, 27545 Diehl Road, Warrenville, Illinois 60555; or call 1-866-747-4477.

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

~~11.12.~~ Any investment as authorized by the Public Funds Investment Act, and Acts amendatory thereto. Paragraph 11 supersedes paragraphs 1-10 and controls in the event of conflict.

Except as provided herein, investments may be made only in banks, savings banks, savings and loan associations, or credit unions that are insured by the Federal Deposit Insurance Corporation or other approved share insurer. ⁸

Selection of Depositories, Investment Managers, Dealers, and Brokers ⁹

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

In order to be an authorized depository, each institution must submit copies of the last 2 sworn statements of resources and liabilities or reports of examination that the institution is required to furnish to the appropriate State or federal agency. ¹⁰ Each institution designated as a depository shall, while acting as such depository, furnish the District with a copy of all statements of resources and

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⁸ 30 ILCS 235/2.

⁹ The policy must address these topics (30 ILCS 235/2.5(a)(11).

¹⁰ 30 ILCS 235/6.

liabilities or all reports of examination that it is required to furnish to the appropriate State or federal agency. ¹¹

The above eligibility requirements of a bank to receive or hold public deposits do not apply to investments in an interest-bearing savings account, interest-bearing certificate of deposit, or interest-bearing time deposit if: (1) the District initiates the investment at or through a bank located in Illinois, and (2) the invested public funds are at all times fully insured by an agency or instrumentality of the federal government. ¹²

The District may consider a financial institution's record and current level of financial commitment to its local community when deciding whether to deposit funds in that financial institution. The District may consider factors including: ¹³

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

Collateral Requirements ¹⁴

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

Safekeeping and Custody Arrangements ¹⁵

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

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¹¹ *Id.*

¹² 30 ILCS 235/6.5.

¹³ This paragraph is optional, but is authorized by 30 ILCS 235/8.

¹⁴ Collateral requirements are permissive; if used, guidelines regarding their use must be included in the policy (30 ILCS 235/2.5(a)(5)). The requirements for collateral agreements are in 30 ILCS 235/6(d). The sample policy contains one guideline, that is, that the board be kept informed of collateral agreements. An optional guideline follows: "In addition, the financial institution must provide the Board with a copy of its board of directors' meeting minutes evidencing that the board of directors approved the collateral agreement."

¹⁵ The policy must address safekeeping and custody arrangements (30 ILCS 235/2.5(a)(5)). Registration requirements are in 30 ILCS 235/3.

Controls and Report 16

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

The Chief Investment Officer shall provide a quarterly investment report to the Board. The report will: (1) assess whether the investment portfolio is meeting the District's investment objectives, (2) identify each security by class or type, book value, income earned, and market value, (3) identify those institutions providing investment services to the District, and (4) include any other relevant information. The investment portfolio's performance shall be measured by appropriate and creditable industry standards for the investment type. 17

The Board will determine, after receiving the Superintendent's recommendation, which fund is in most need of interest income and the Superintendent shall execute a transfer. This provision does not apply when the use of interest earned on a particular fund is restricted. 18

Ethics and Conflicts of Interest 19

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

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

LEGAL REF.: 30 ILCS 235/
105 ILCS 5/8-7, 5/10-22.44, 5/17-1, and 5/17-11.

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

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

16 The policy must provide for internal controls, periodic review, and at least quarterly written investment reports (30 ILCS 235/2.5(a)(6), (9), and (10)). The operational procedures to prevent losses are best addressed by each district in consultation with its auditor and legal counsel. See 4:80, *Accounting and Audits*, and 4:80-AP, *Checklist for Internal Controls*.

17 The policy must include performance measures (30 ILCS 235/2.5(8)).

18 105 ILCS 5/10-22.44. "Chief Business Official" may replace "Superintendent." Interest income earned on any funds for IMRF, Tort Immunity Act, Fire Prevention, Safety and Environmental Energy, and Capital Improvement Act are restricted to the respective fund. *Id.*

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

General Personnel

Equal Employment Opportunity and Minority Recruitment 1

The School District shall provide equal employment opportunities² to all persons regardless of their race; color; creed; religion;³ national origin; sex;⁴ sexual orientation;⁵ age;⁶ ancestry; marital status;⁷ arrest record;⁸ military status; order of protection status;⁹ unfavorable military discharge;¹⁰

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¹ Federal and State law (see the policy’s legal references) require that all districts have a policy on equal employment opportunities and control this policy’s content.

² *Equal employment opportunities* applies to virtually all terms and conditions of employment, e.g., discharge, hire, promotion, pay, demotion, and benefits (see legal references). The Illinois Constitution protects the following categories from discrimination in employment: race, color, creed, national ancestry, and handicap (Art. I, §§17, 18, and 19). The Ill. Human Rights Act protects the following categories from discrimination in employment: race, color, religion, national origin, ancestry, age, sex, marital status, handicap, military status, order of protection status, sexual orientation, and unfavorable discharge from military service (775 ILCS 5/1-102).

The Equal Employment Opportunities Act (Title VII) prohibits discrimination because of an individual’s race, color, religion, sex, or national origin (42 U.S.C. §2000e, amended by The Lilly Ledbetter Fair Pay Act, Pub.L. 111-2).

The Lilly Ledbetter Fair Pay Act clarifies that a discriminatory compensation decision or other practice occurs each time an employee is paid or receives a last benefits check pursuant to the discriminatory compensation decision as opposed to only from the time when the discriminatory compensation decision or other practice occurred. The Act has no legislative history available to define what the phrase *or other practice* might mean beyond a discriminatory compensation decision. Consult the board attorney for guidance regarding the Lilly Ledbetter Fair Pay Act’s specific applications to the district.

While not exhaustive, other laws protecting these and additional classifications are named in subsequent footnotes.

³ In addition to the Ill. Human Rights Act and the federal Equal Employment Opportunities Act (discussed in footnote 2); see the Religious Freedom Restoration Act (775 ILCS 35/).

⁴ In addition to the Ill. Human Rights Act and the federal Equal Employment Opportunities Act (discussed in footnote 2), see Title IX of the Education Amendments, 20 U.S.C. §1681 *et seq.* The federal Equal Pay Act prohibits an employer from paying persons of one gender less than the wage paid to persons of the opposite gender for equal work (29 U.S.C. §206(d). The State Equal Pay Act of 2003, 820 ILCS 112/, offers greater protection by prohibiting the payment of wages to one gender less than another gender *for the same or substantially similar work*. Similar to the Lilly Ledbetter Fair Pay Act, now defines *date of underpayment* as each time wages are underpaid. Employees have one year from the time they become aware of the underpayment to file a complaint with the Ill. Dept. of Labor. The Pregnancy Discrimination Act amended the Equal Employment Opportunities Act to prohibit discrimination on the basis of pregnancy, childbirth, or related medical conditions (42 U.S.C. §2000e(k).

⁵ Illinois Human Rights Act, 775 ILCS 5/1-101 *et seq.* *Sexual orientation* means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity; it does not include a physical or sexual attraction to a minor by an adult (775 ILCS 5/1-103(O-1).

⁶ Age Discrimination in Employment Act (ADEA), 29 U.S.C. §621 *et seq.*, amended by The Lilly Ledbetter Fair Pay Act, Pub.L. 111-2 (see f/n 2 above). 29 C.F.R. Part 1625, amended the EEOC regulations under ADEA to reflect the U.S. Supreme Court’s decision in General Dynamic Systems, Inc. v. Cline, 540 U.S. 581(2004), holding the ADEA to permit employers to favor older workers because of age. Thus favoring an older person over a younger person is not unlawful discrimination, even when the younger person is at least 40 years old.

⁷ 105 ILCS 5/10-22.4 and 775 ILCS 5/1-103(Q). The term *marital status* means an individual’s legal status of being married, single, separated, divorced, or widowed (775 ILCS 5/1-103(J). This statutory definition does not encompass the identity of one’s spouse. Thus, school districts may adopt no-spouse policies. Boaden v. Dept. of Law Enforcement, 664 N.E.2d 61 (1996).

⁸ Districts may not make employment decisions on the basis of arrest history, but may use conviction information (775 ILCS 5/2-103).

⁹ 775 ILCS 5/1-103(Q). The term *order of protection status* means a person protected under an order of protection issued pursuant to the Illinois Domestic Violence Act of 1986 or an order of protection issued by a court of another state (775 ILCS 5/1-103(K-5).

citizenship status provided the individual is authorized to work in the United States;¹¹ use of lawful products while not at work;¹² being a victim of domestic or sexual violence;¹³ genetic information;¹⁴ physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation;¹⁵ pregnancy, childbirth, or related medical conditions; ¹⁶ credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position;¹⁷ or other legally protected categories. ^{18 19 20 21} **No one will be penalized solely**

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¹⁰ *Military status* means a person's status on active duty in the U.S. Armed Forces (775 ILCS 5/1-103). *Unfavorable military discharge* does not include those characterized as RE-4 or *dishonorable*. (*Id.*). The Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. §§4301 *et seq.*, prohibits employers from discriminating or retaliating against any person for reasons related to past, present, or future service in a *uniformed service*. See footnote 9 in policy 5:30, *Hiring Process and Criteria*.

¹¹ 775 ILCS 5/1-102(C). According to the Immigration Reform and Control Act of 1986, 8 U.S.C. §§1324(a) *et seq.*, all employers must verify that employees are either U.S. citizens or authorized to work in the U. S.

¹² 820 ILCS 55/5 prohibits discrimination based on use of lawful products, e.g., alcohol and tobacco, off premises during non-working hours.

¹³ Victims' Economic Security and Safety Act, 820 ILCS 180/30.

¹⁴ Illinois' Genetic Information Protection Act (GIPA) (410 ILCS 513/25) and Title II of Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. §2000ff *et seq.*). Both laws protect job applicants and current and former employees from discrimination based on their genetic information. Note that GIPA provides greater protections to Illinois employees than Title II of GINA. See footnote 5 in 2:260, *Uniform Grievance Procedure* for the definition of genetic information and a detailed description of both statutes, including of Title I of GINA affecting the use of genetic information in health insurance. In 2011, EEOC published an informative guidance letter, *ADA & GINA: Incentives for Workplace Wellness Program*, [EEOC Informal Discussion Letter](#). Consult the board attorney for guidance regarding specific application of these laws and how they integrate with other related laws, e.g., the Family Medical Leave Act, the Americans with Disabilities Act, and other State laws governing time off for sickness and workers' compensation.

¹⁵ Americans with Disabilities Act, 42 U.S.C. §§12111 *et seq.*, amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325 and modified by the Lilly Ledbetter Fair Act, Pub. L. 111-2; Rehabilitation Act of 1973, 29 U.S.C. §791 *et seq.*, modified by the Lilly Ledbetter Fair Pay Act, Pub. L. 111-2.

¹⁶ 775 ILCS 5/2-102(I), added by P.A. 97-596.

¹⁷ Employee Credit Privacy Act, 820 ILCS 70/. Unless a satisfactory credit history is an *established bona fide occupational requirement* of a particular position, an employer may not: (1) refuse to hire, discharge, or otherwise discriminate against an individual with respect to employment because of the individual's credit history or credit report, (2) inquire about an applicant's or employee's credit history, or (3) order or obtain an applicant's or employee's credit report from a consumer reporting agency. The Act identifies circumstances that permit a satisfactory credit history to be a job requirement, such as, the position's duties include custody of or unsupervised access to cash or marketable assets valued at \$2,500 or more.

¹⁸ Optional sentence (775 ILCS 5/1-103 and 29 U.S.C. §631):

Age, as used in this policy, means the age of a person who is at least 40 years old.

¹⁹ Optional provision (29 U.S.C. §705(10)(A) and (B), and 42 U.S.C. §12114):

Handicap and disability, as used in this policy, excludes persons:

1. Currently using illegal drugs;
2. Having a currently contagious disease or infection and who, by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the currently contagious disease or infection, are unable to perform the duties of the job; or
3. Whose current alcohol or drug use prevents them from performing the job's duties or constitutes a direct threat to the property or safety of others.

Persons who have successfully completed or are participating in a drug rehabilitation program are considered *handicapped*.

²⁰ Districts may not make residency in the district a condition of employment for teachers or educational support personnel (105 ILCS 5/24-4.1 and 10-23.5). This ban on residency requirements for teachers applies only to instructional personnel, and not, for example, to assistant principals. *Owen v. Kankakee School Dist.*, 632 N.E.2d 1073 (Ill.App.3, 1994). Districts also may not ask an applicant, or the applicant's previous employer, whether the applicant ever received, or filed a claim for, benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act (820 ILCS 55/10).

for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/. 22

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the Uniform Grievance Procedure. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information. 23

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager for the Uniform Grievance Procedure. The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. 24

Nondiscrimination Coordinator:

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

21 School districts must accommodate mothers who choose to continue breastfeeding after returning to work. See the Right to Breastfeed Act, 740 ILCS 137/; Nursing Mothers in the Workplace Act, 820 ILCS 260/; and Fair Labor Standards Act, 29 U.S.C. §207(r), added by P.L. 111-148. See sample language for a personnel handbook in 5:10-AP, *Administrative Procedure - Workplace Accommodations for Nursing Mothers*.

22 410 ILCS 130/40, added by P.A. 98-122. 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 Act (410 ILCS 130/, added by P.A. 98-122). 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 policy 5:50, *Drug- and Alcohol-Free Workplace: Tobacco Prohibition. Contact the board attorney for advice concerning medical cannabis.*

23 Most discrimination laws prohibit retaliation against employees who oppose practices made unlawful by those laws, including, for example, the Equal Employment Opportunities Act, Title IX, Americans with Disabilities Act, Age Discrimination in Employment Act, Victims' Economic Security and Safety Act, the Ill. Equal Pay Act, and the Ill. Whistleblower Act, 740 ILCS 174/.

The Ill. Whistleblower Act specifically prohibits employers from retaliating against employees for: (1) disclosing information to a government or law enforcement agency (740 ILCS 174/15(a)), (2) disclosing information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding where the employee has reasonable cause to believe that the information reveals a violation of a State or federal law, rule or regulation (740 ILCS 174/15(b)), (3) refusing to participate in an activity that would result in a violation of a State or federal law, rule, or regulation, including, but not limited to, violations of the Freedom of Information Act (740 ILCS 174/20), and (4) disclosing or attempting to disclose public corruption or wrongdoing (740 ILCS 174/20.1). The definition of retaliation is expanded to include *other retaliation* and *threatening retaliation* (740 ILCS 174/20.1 and 20.2).

The Ill. False Claims Act, 740 ILCS 175/, defines *State* to include school districts. Thus, boards may seek a penalty from a person for making a false claim for money or property (740 ILCS 175/4). For additional information regarding the Ill. Whistleblower Act and the tort of retaliatory discharge, see Thomas v. Guardsmark, 487 F.3d 531 (7th Cir., 2007)(discussing the elements of Ill. tort of retaliatory discharge and Ill. Whistleblower Act), and Sherman v. Kraft General Foods, Inc., 651 N.E.2d 708 (Ill.App.4th Dist., 1995)(finding employee who reported asbestos hazard had a cause of action for tort of retaliatory discharge).

24 Title IX regulations require districts to identify the name, address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. A policy should not be adopted with a person's name in it; rather, the identifying information can be added and amended as necessary. Thus the policy should be adopted with blanks for the superintendent to fill in later.

Na Mr. Joel Martin
Ad 164 S. Prospect Avenue
Park Ridge, IL 60068
847-318-4305

Telephone

Complaint Managers:

Dr. Lori Lopez
164 S. Prospect Avenue
Park Ridge, Il 60068
847-318-4303

Telephone

Mr. Dan Walsh
2401 Manor Lane
Park Ridge, Il 60068
847-318-4390

Telephone

The Superintendent shall also use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as, by posting required notices and including this policy in the appropriate handbooks. 25

Minority Recruitment 26

The District will attempt to recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however, does not require or permit the District to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

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

25 In addition to notifying employees of the Uniform Grievance Procedure, a district must notify them of the person(s) designated to coordinate the district's compliance with Title IX and the Rehabilitation Act of 1973 (34 C.F.R. §§106.8(a) and 104.8(a)). The Nondiscrimination Coordinator may be the same individual for both this policy and policy 7:10, *Equal Educational Opportunities*, as well as a Complaint Manager for policy 2:260, *Uniform Grievance Procedure*. A comprehensive faculty handbook can provide required notices, along with other important information, to recipients. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and school board. Any *working conditions* contained in the handbook may be subject to mandatory collective bargaining.

26 All districts must have a policy on minority recruitment (105 ILCS 5/10-20.7a). Unlike minority recruitment efforts, affirmative action plans are subject to significant scrutiny because of the potential for reverse discrimination. The U.S. Constitution's guarantee of equal protection prohibits school districts from using racial hiring quotas without evidence of past discrimination. See 29 C.F.R. §1608.1 *et seq.* (Equal Employment Opportunity Commission's guidelines for affirmative action plans); *Wygant v. Jackson Board of Education*, 106 S.Ct. 1842 (1986) (The goal of remedying societal discrimination does not justify race-based layoffs.); *City of Richmond v. J.A. Croson Co.*, 109 S.Ct. 706 (1989) (Minority contractor quota struck; quotas must be narrowly tailored to remedy past discrimination and the city failed to identify the need for remedial action and whether race-neutral alternatives existed.).

The Ill. Human Rights Act, 775 ILCS 5/1-101.1, states that it shall not be construed as requiring any employer to give preferential treatment or special rights based on sexual orientation or to implement affirmative action policies or programs based on sexual orientation.

LEGAL REF.:

Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.
Americans With Disabilities Act, Title I, 42 U.S.C. §12111 et seq.
Civil Rights Act of 1991, 29 U.S.C. §§621 et seq., 42 U.S.C. §1981 et seq.,
§2000e et seq., and §12101 et seq.
Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964),
42 U.S.C. §2000e et seq., 29 C.F.R. Part 1601.
Equal Pay Act, 29 U.S.C. §206(d).
Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.
Pregnancy Discrimination Act, 42 U.S.C. §2000e(k).
Title IX of the Education Amendments, 20 U.S.C. §1681 et seq., 34 C.F.R. Part
106.
Uniformed Services Employment and Reemployment Rights Act (1994), 38
U.S.C. §§4301 et seq.
Ill. Constitution, Art. I, §§17, 18, and 19.
105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4,
5/24-4.1, and 5/24-7.
Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/40.
Genetic Information Protection Act, 410 ILCS 513/25.
Ill. Whistleblower Act, 740 ILCS 174/.
Ill. Human Rights Act, 775 ILCS 5/1-103 and 5/2-102.
Religious Freedom Restoration Act, 775 ILCS 35/5.
Employee Credit Privacy Act, 820 ILCS 70/.
Ill. Equal Pay Act of 2003, 820 ILCS 112/.
Victims' Economic Security and Safety Act, 820 ILCS 180/30.
23 Ill.Admin.Code §1.230.

CROSS REF.:

2:260 (Uniform Grievance Procedure), 5:20 (Workplace Harassment Prohibited),
5:30 (Hiring Process and Criteria, 5:40 (Communicable and Chronic Infectious
Disease), 5:50 (Drug- and Alcohol-Free Workplace: Tobacco Prohibition), 5:70
(Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200
(Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of
Absence), 5:270 (Employment, At-Will, Compensation, and Assignment), 5:300,
(Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and
Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Preventing Bullying,
Intimidation, and Harassment), 8:70 (Accommodating Individuals with
Disabilities)

General Personnel

Hiring Process and Criteria 1

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunity and minority recruitment. ² The Superintendent is responsible for recruiting personnel and making hiring recommendations to the Board. ³ If the Superintendent's recommendation is rejected, the Superintendent must submit another. ⁴ No individual will be employed who has been convicted of a criminal offense listed in Section 5/21B-80 of the School Code. ⁵

All applicants must complete a District application in order to be considered for employment. ⁶

Job Descriptions

The Superintendent shall develop and maintain a current comprehensive job description for each position or job category; however, a provision in a collective bargaining agreement or individual contract will control in the event of a conflict. ⁷

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. This policy contains an item on which impact bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

² See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Districts may not classify a job as either a male or female job (29 C.F.R. §1604.5, 34 C.F.R. §106.55).

³ Boards must consider the superintendent's recommendations concerning, among other things, "the selection, retention, and dismissal of employees," 105 ILCS 5/10-16.7. The board may want to use this alternative sentence:

All personnel decisions are made by the Board, but only on the recommendation of the Superintendent.

Subject to an applicable collective bargaining agreement in effect on June 13, 2011, a board that fills a "new or vacant teaching position" must select a candidate based on: (1) certifications, (2) qualifications, (3) merit and ability (including performance evaluation, if available), and (4) relevant experience (105 ILCS 5/24-1.5). The statute does not define "new or vacant teaching positions." This new requirement does not apply to filling vacant positions under 105 ILCS 5/24-12 (reduction in force). Consult the board attorney about how this requirement applies to the district's circumstances.

⁴ An additional optional sentence follows:

The Superintendent may select personnel on a short-term basis for a specific project or emergency condition before the Board's approval.

⁵ 105 ILCS 5/10-21.9(c), amended by P.A. 97-607.

⁶ Any person who applies for employment as a teacher, principal, superintendent, or other certificated employee who willfully makes a false statement on his or her application for employment, material to his or her qualifications for employment, which he or she does not believe to be true, is guilty of a Class A misdemeanor (105 ILCS 5/22-6.5). District employment applications must contain a statement to this effect (Id.).

Each employment application for a certificated position must state the following (Id.):

Failure to provide requested employment or employer history which is material to the applicant's qualifications for employment or the provision of statements which the applicant does not believe to be true may be a Class A misdemeanor.

⁷ Job descriptions will become the basis for categorizing a teacher into one or more positions that the teacher is qualified to hold for reduction in force (RIF) dismissal and recall purposes (105 ILCS 5/24-12(b)). A board should consult with its attorney to review its current list of job descriptions and discuss the district's specific responsibilities.

Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law. ⁸ The Superintendent or designee shall notify an applicant if the applicant is identified in either database. ⁹ The School Code requires the Board President to keep a conviction record confidential and share it only with the Superintendent, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for purposes of clarifying the information, the Department of State Police and/or Statewide Sex Offender Database. ¹⁰

Each newly hired employee must complete an Immigration and Naturalization Service Form as required by federal law. ¹¹

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in Section 5/21B-80 of the School Code or who falsifies, or omits facts from, his or her employment application or other employment documents.

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law and complies with each of the following: ¹²

A job description is evidence of a position's *essential functions* (29 C.F.R. §1630.2(n)). The Americans with Disabilities Act protects individuals who have a disability and are qualified, with reasonable accommodation, to perform the *essential functions* of the job (42 U.S.C. §12101, amended by the ADA Amendments Act (ADAAA), Pub. L. 110-325). Determining which functions are essential may be critical to determining if an individual with a disability is qualified. An individual is qualified to perform a job even though he or she is unable, due to a disability, to perform tasks which are incidental to the job. Only when an individual is unable to perform the *essential functions* of a job may a district deny the individual employment opportunities (29 C.F.R. §1630.2(m)). For a particular function to be essential: (1) the employer must actually require employees in the position to perform it, and (2) the position would be *fundamentally altered* if the function were removed (*Id.*). Whether a particular function is essential is a factual determination.

Important: The ADAAA makes significant changes to the ADA's definition of disability that broadens the scope of coverage and overturns a series of U.S. Supreme Court decisions that made it difficult to prove that an impairment was a disability. The final regulations were by a bipartisan vote and approved on March 25, 2011. There is information about the regulations and a link to them at: www.eeoc.gov/laws/regulations/adaaa_fact_sheet.cfm. Consult the board attorney regarding how these amendments impact the district's hiring processes.

⁸ The policy's requirements on criminal records checks are mandated by 105 ILCS 5/10-21.9. See administrative procedure 5:30-AP2, *Investigations*, for the process and positions requiring criminal background investigation. The Statewide Sex Offender Database (a/k/a Sex Offender Registry) is available at: www.isp.state.il.us/sor. The Statewide Murderer and Violent Offender Against Youth Database is available at: www.isp/state.il.us/cmvo/.

⁹ *Id.*

¹⁰ 105 ILCS 5/10-21.9(b). The School Code continues to define the board president's role in conducting criminal background investigations and receiving the results of these investigations, including the results for employees of district contractors (105 ILCS 5/10-21.9). Many districts delegate this task in the hiring process to a human resources department.

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." The Regional Office of Education for Suburban Cook County was abolished and its duties and powers transpired to the intermediate service center for the area by P.A. 96-893.

¹¹ Immigration Reform and Control Act, 8 U.S.C. §1324a *et seq.* Consult with the board attorney regarding the district's rights and responsibilities under all Illinois laws if the district uses any electronic employment verification system, including *E-Verify* and/or the Basic Pilot Program (820 ILCS 55/). This statute urges employers who voluntarily use *E-Verify* (formerly known as the Basic Pilot/Employment Eligibility Verification Program) to consult the Ill. Dept. of Labor's website for current information on the accuracy of *E-Verify* and to review and understand their legal responsibilities relating to the use of any electronic employment verification systems. See ¶n 2 in 5:150-AP, *Personnel Records*, for a more detailed discussion of *E-Verify* issues.

¹² As an alternative to describing the prohibited investigations, a board may substitute this sentence:

1. The District uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position. 13
2. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act. 14
3. The District does not request of an applicant or employee access in any manner to his or her social networking website, including a request for passwords to such sites. 15
4. The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Physical Examinations

New employees must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease, including tuberculosis. 16 All physical fitness examinations and tests for

The Superintendent shall ensure that the District does not engage in any investigation or inquiry prohibited by law, including without limitation, investigation into or inquiry concerning: (1) credit history or report unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; (2) claim(s) made or benefit(s) received under Workers' Compensation Act; and (3) access to an employee's or applicant's social networking website, including a request for passwords to such sites.

The default policy provision and the alternative stated above – whichever is selected – may be made a prohibition rather than a duty of the superintendent; to do this, delete the stricken text as follows: “The Superintendent shall ensure that the District does not engage ...”

13 Employee Credit Privacy Act, 820 ILCS 70/. This Act allows inquiries into an applicant's credit history or credit report or ordering or obtaining an applicant's credit report from a consumer reporting agency when a satisfactory credit history is an *established bona fide occupational requirement* of a particular position. The Act identifies circumstances that permit a satisfactory credit history to be a job requirement, such as, the position's duties include custody of or unsupervised access to cash or marketable assets valued at \$2,500 or more.

14 Right to Privacy in the Workplace Act, 820 ILCS 55/10(a).

15 Id., 820 ILCS 55/10, added by P.A. 97-875 (known as the Facebook Password Law) and amended by P.A. 98-501. The exception for a professional account added by P.A. 98-501 is so limited that it appears to be unavailable to school employers. A professional account is defined as “an account, service, or profile created, maintained, used, or accessed by a current or prospective employee for business purposes of the employer.” Bracketed explanations follow the statutory language:

“Provided that the password, account information, or access sought by the employer relates to a professional account, and not a personal account, nothing in this subsection shall prohibit or restrict an employer from complying with a duty to screen employees or applicants prior to hiring”

[When read with the definition of professional account, it is implausible that an applicant would have an account, service, or profile for business purposes of a school employer.]

“... or to monitor or retain employee communications as required under Illinois insurance laws or federal law or by a self-regulatory organization as defined in the [Securities Exchange Act].”

[This clause appears to be inapplicable to school districts.]

The statute specifically permits an employer to: (1) maintain workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use; and (2) monitor usage of the employer's (district's) electronic equipment and electronic mail. The statute also states that it does *not prohibit* an employer from obtaining information about an applicant or an employee that is in the public domain or that is otherwise obtained in compliance with the statute. Finally, the statute does not apply to other types of personal technology that employees may use to communicate with students or other individuals, such as, personal email or text messages on a personal phone. Consult the board attorney about these issues.

16 Pre-employment medical inquiries must be limited to whether the applicant is able to perform job-related functions; required medical examinations of applicants is forbidden (American with Disabilities Act [ADA], 42 U.S.C. §12112(d)(2), as amended by the ADAAA, Pub. L. 110-325); see also *f/n* 7 for an explanation regarding the ADAAA. Districts may condition an employment offer on taking and passing medical inquiries or physical exams, provided that all entering employees in the same classification receive the same conditional offer. Boards must require new employees to furnish evidence of a physical examination and a tuberculin skin test and, if appropriate, an X-ray (105 ILCS 5/24-5).

tuberculosis must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination and tuberculin test performed no more than 90 days before submitting evidence of it to the Board.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations, if the examination is job-related and consistent with business necessity. ¹⁷ The Board will pay the expenses of any such examination.

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, the school's rules and regulations, and the responsibilities of their position. Before beginning employment, each employee must sign the *Acknowledgement of Mandated Reporter Status form as provided in policy 5:90, Abused and Neglected Child Reporting.*

Note that while examination by a spiritual leader/practitioner is sufficient for purposes of leaves, the statute does not permit an examination by a spiritual leader/practitioner for initial employment exams. This difference may present a constitutional issue; contact the board attorney for an opinion if an applicant wants to use an examination by a spiritual leader/practitioner.

¹⁷ The State law (105 ILCS 5/24-5) allowing boards to require physicals of current employees "from time to time," has been superseded by federal law (ADA, 42 U.S.C. §12112(d)(4), as amended by the ADAAA, Pub. L. 110-325). The ADA allows medical inquiries of current employees only when they are job-related and consistent with business necessity or part of a voluntary employee wellness program (*Id.*). Districts may deny jobs to individuals with disabilities who pose a direct threat to the health or safety of others in the workplace, provided that a reasonable accommodation would not either eliminate the risk or reduce it to an acceptable level (42 U.S.C. §12113; 29 C.F.R. Part 1630.2(r)). See f/n 7 for an explanation regarding the ADAAA.

See the f/n 16 for a discussion of examinations by spiritual leaders/practitioners.

LEGAL REF.:

105 ILCS 5/10-21.9.,
Employee Credit Privacy Act, 820 ILCS 70/
Right to Privacy in the Workplace Act, 820 ILCS 55/
Americans with Disabilities Act, 42 U.S.C. §12112, 29 C.F.R. Part 1630.
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/21B-10, 5/21B-80, 5/10-
22.34, 5/10-22.34b, 5/22-6.5, and 5/24-1 et seq.
820 ILCS 55/ and 70/
Duldulao v. St. Mary of Nazareth Hospital, 483 N.E.2d 956 (Ill.App.1, 1985), *aff'd*
in part and remanded 505 N.E.2d 314 (Ill., 1987).
Kaiser v. Dixon, 468 N.E.2d 822 (Ill.App.2, 1984).
Molitor v. Chicago Title & Trust Co., 59 N.E.2d 695 (Ill.App.1, 1945).

CROSS REF.:

3:50 (Administrative Personnel Other Than the Superintendent), 5:10 (Equal
Employment Opportunity and Minority Recruitment), **5:90 (Abused and
Neglected Child Reporting)**, 5:40 (Communicable and Chronic Infectious
Disease), 5:125 (Personal Technology and Social Media; Usage and Conduct),
5:220 (Substitute Teachers), 5:280 (Educational Support Personnel - Duties and
Qualifications)

General Personnel

Compliance with the Fair Labor Standards Act ¹

Job Classifications

The Superintendent will ensure that all job positions are identified as either “exempt” or “non-exempt” according to State law and the Fair Labor Standards Act (FLSA) and that employees are informed whether they are “exempt” or “non-exempt.” ² “Exempt” and “non-exempt” employee categories may include certificated and non-certificated job positions. All non-exempt employees, whether paid on a salary or hourly basis, are covered by minimum wage and overtime provisions.

Workweek and Compensation

The workweek for District employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday. ³ Non-exempt employees will be compensated for all hours worked in a workweek including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek even if an employee is scheduled for less than 40 hours. ⁴ “Overtime” is time worked in excess of 40 hours in a single workweek.

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. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, or terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

The Illinois Minimum Wage Law, 820 ILCS 105/4a, covers all school employees, although many are exempt from overtime requirements. The federal Fair Labor Standards Act (FLSA) also covers school employees (29 U.S.C. 201 *et seq.*). The law offering the greatest benefits to employees will control specific issues.

School districts in several states are experiencing widespread action by non-exempt employees to recoup unpaid overtime wages. Many of these actions have been successful because the school district did not strictly comply with overtime requirements or recordkeeper’s requirements. See:

[29 C.F.R. Part 785, Hours Worked \(www.dol.gov/dol/allefr/ESA/Title_29/Part_785/toe.htm\)](http://www.dol.gov/dol/allefr/ESA/Title_29/Part_785/toe.htm)

[29 C.F.R. Part 516, Records to Be Kept by Employers \(www.dol.gov/dol/allefr/ESA/Title_29/Part_516/toe.htm\)](http://www.dol.gov/dol/allefr/ESA/Title_29/Part_516/toe.htm)

[The U.S. Dept. of Labor frequently finds employees misclassified as independent contractors or exempt employees.](#)

School officials are strongly encouraged to seek assistance from their attorney when making decisions involving wage and hour issues.

² “Exempt” employees are exempt from overtime requirements. An exempt employee, according to Illinois law, is “any employee employed in a bona fide executive, administrative or professional capacity, ... , as defined by or covered by the Federal Fair Labor Standards Act of 1938 and the rules adopted under that Act, as both exist on March 30, 2003, but compensated at the amount of salary specified [in the current rules].” 820 ILCS 105/4a. By referring to the definitions in the former federal rules, the Illinois legislature rejected the U.S. Department of Labor’s effort to expand the number of employees who are exempt from overtime requirements. To qualify for exemption in Illinois, employees generally must meet certain tests regarding their job duties and be paid on a “salary basis” at not less than \$455 per week. To check compliance, districts should review their list of exempt employees with their attorneys.

³ Employers must identify the workweek, but may designate any 7-day period. **Boards should ascertain what is currently used as a workweek to avoid inadvertently adopting a policy containing a different designation.** The workweek in this sample policy allows supervisors to adjust employee schedules at the end of the week if an employee was required to work the weekend.

⁴ Setting the workweek at 40 hours avoids having to pay an employee additional “straight time” compensation for the extra hours up to 40.

Overtime

~~The School Board discourages overtime work by non-exempt employees.~~ A non-exempt employee shall not work overtime without his or her supervisor's express approval. ⁵ All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the Superintendent or designee's written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. Accurate and complete time sheets of actual hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Superintendent. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to Board policy 5:310, *Compensatory Time-Off*. ⁶

Suspension Without Pay

No exempt employee shall have his or her salary docked, such as by an unpaid suspension, if the deduction would cause a loss of the exempt status. ⁷ **Certificated Licensed** employees may be suspended without pay in accordance with Board policy 5:240, *Professional Personnel - Suspension*. Non-**certificated licensed** employees may be suspended without pay in accordance with Board policy 5:290, *Educational Support Personnel - Employment Termination and Suspensions*.

Implementation ⁸

The Superintendent or designee shall implement the policy in accordance with the FLSA, including its required notices to employees. In the event of a conflict between the policy and State or federal law, the latter shall control.

LEGAL REF.: 820 ILCS 105/4a.
Fair Labor Standards Act, 29 U.S.C. §201 et seq., 29 C.F.R. Parts 516, 541, 548, 553, 778, and 785.

CROSS REF.: 5:240 (Suspension), 5:290 (Employment Termination and Suspensions), 5:310 (Compensatory Time-Off)

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

⁵ Employees must be compensated for all time worked, even if it is unauthorized overtime. However, employees who intentionally work unauthorized overtime may be subject to disciplinary action.

⁶ Optional. The FLSA regulates the use of *comp-time* (29 C.F.R. §§553.22-553.28). Before offering comp-time, a board must have a compensatory time-off policy or the topic must be covered in an applicable collective bargaining agreement. See 5:310, *Compensatory Time-Off* and 5:310-E, *Exhibit - Agreement to Receive Compensatory Time-Off*.

⁷ Docking an exempt employee's salary (e.g., for a disciplinary suspension) may result in the loss of the exemption unless the deduction was specifically authorized. Teachers, however, are not covered by this restriction.

⁸ The FLSA is administered by the Wage and Hour Division of the U.S. Department of Labor. Its website contains compliance guidance, posters, and e-tools (www.dol.gov/esa/whd/flsa/index.htm), www.dol.gov/compliance/laws/comp-flsa.htm).

Professional Personnel

Teacher Qualifications ¹

A teacher, as the term is used in this policy, refers to a District employee who is required to be **certified licensed** under State law. ² The following qualifications apply:

1. Each teacher must: ³
 - a. Have a valid Illinois ~~certificate that legally qualifies~~ **Professional Educator License issued by the teacher for State Superintendent of Education with the duties for which required endorsements as provided in the teacher is employed School Code.**
 - b. Provide the District Office with a complete transcript of credits earned in institutions of higher education.
 - c. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the District Office with a transcript of any credits earned since the date the last transcript was filed.
 - d. Notify the Superintendent of any change in the teacher's transcript.
2. All teachers with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government,

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¹ State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. This policy concerns an area in which the law is unsettled.

² P.A. 97-607 repealed 105 ILCS 5/21-0.01 ~~et seq.~~ and added Article 21B titled *Educator Licensure* to the School Code. 23 Ill.Admin.Code §1.610 ~~et seq., §1.705 et seq. and Part 25~~ still refers to this repealed section of the School Code. **Teacher- 23 Ill.Admin.Code §1.705 et seq. still refers to certification-will become, and Part 25 continues to incorporate P.A. 97-607. This law changed teacher certification to educator licensure on-or-before as of July 1, 2013-(P.A. 97-607) Once, ISBE's proposal to amend these rules is pending as of Feb. 2014. When the licensure system is became operational, all certified employees will automatically be transitioned to having the corresponding applicable licensure.**

School boards may participate in the Illinois Teacher Corps; however as of Sept. 1, 2011 individuals may no longer be admitted to Illinois Teacher Corps programs (105 ILCS 5/21-11.4, amended by P.A. 97-607 and ~~scheduled-to-be~~ repealed on June 30, 2013).

³ Subparagraph 1a is required for all teachers by 105 ILCS 5/~~21-2, amended by P.A. 97-607 (certificates) and 5/21B-15, added by P.A. 97-607 (professional educator licenses).~~ See fn 2 above. ~~ISBE plans to institute a system of educator licensure with the requirements and qualifications in Article 21B of the School Code by July 1, 2013 (P.A. 97-607). The types of certificates are still listed in 105 ILCS 5/21-2, amended by P.A. 97-607 and scheduled to be repealed on June 30, 2013.~~ The types of licenses are listed in 105 ILCS 5/21B-20, added by P.A. 97-607. See also 23 Ill.Admin.Code §1.610 ~~et seq., §1.705 et seq. and Part 25 (teachers are no longer certified in any course subjects in which they earn grades lower than a "C" in college), although some of the rules still refer to repealed sections of the School Code. Note that part-time provisional certificates issued to professionals and craftsmen are addressed in no longer issued (105 ILCS 5/21-10, amended by P.A. 97-607 and scheduled-to-be repealed on June 20, 2013).~~ ISBE's *Educator's Certification Licensure Information System (ECS ELIS)* is a web-based system that allows educators ~~and district, administrators, and the public to~~ access to ~~certification data from ISBE's Teacher-Certification-Information-System (TCIS) licensure information.~~ See www.isbe.state.il.us/ELIS/default.htm.

Contact ISBE with all ~~certification and~~ licensure questions during this time of implementation of the new Article 21B, added by P.A. 97-607.

Subparagraph 1b and 1c are required of all teachers by 105 ILCS 5/24-23. Some boards add the word "official" to the phrase, "complete **official** transcript of credits."

Subparagraph 1d is ~~not required, optional~~ but informs the superintendent when a teacher should change lanes on the salary schedule.

economics, geography, foreign language, and mathematics) must be *highly qualified* for those assignments as determined by State and federal law. ⁴

The Superintendent or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately **certified licensed** and *highly qualified* for their assignments; ⁵
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers; and ⁶
3. Ensure parents/guardians of students in schools receiving Title I funds are notified: (a) of their right to request their students' classroom teachers' professional qualifications, and (b) whenever their child is assigned to, or has been taught for 4 or more consecutive weeks by, a teacher who is not *highly qualified*. ⁷

LEGAL REF.: 20 U.S.C. §6319.
34 C.F.R. §200.55, 56, 57, and 61.
105 ILCS 5/10-20.15, 5/21-~~10, 5/21~~11.4, 5/21B-20, and 5/24-23.
23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

CROSS REF.: 6:170 (Title I Programs)

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⁴ 20 U.S.C. §6319; 34 C.F.R. §200.55; 23 Ill. Admin.Code Part 25, Appendix D. ISBE's website contains numerous resources on *highly qualified* requirements and determinations; see www.isbe.net/nclb/htmls/edquality.htm.

⁵ 20 U.S.C. §6319(a)(3); 34 C.F.R. §200.57(b).

⁶ 34 C.F.R. §200.57(b)(2).

⁷ 20 U.S.C. §6311(h)(6); 34 C.F.R. §200.61.

Professional Personnel

Suspension ¹

Suspension Without Pay ²

The School Board may suspend without pay: (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for up to 30 employment days for misconduct that is detrimental to the School District. Administrative staff members may not be suspended without pay as a disciplinary measure. ³

Misconduct that is detrimental to the School District includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor;
- Violation of Board policy or Administrative Procedure;
- Conduct that disrupts or may disrupt the educational program or process;
- Conduct that violates any State or federal law that relates to the employee's duties; and
- ~~Other sufficient causes.~~

INSERT A →

The Superintendent or designee is authorized to issue a pre-suspension notification to a professional employee. This notification shall include the length and reason for the suspension as well as the deadline for the employee to exercise his or her right to appeal the suspension to the Board or Board-appointed hearing examiner before it is imposed. At the request of the professional employee made within 5 calendar days of receipt of a pre-suspension notification, the Board or Board-appointed

A [Other sufficient causes, including, but not limited to, unprofessional actions, conduct or judgment.]

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¹ State and federal law control this policy's content. The School Code provides that, "[i]f, in the opinion of the board, the interests of the school require it, the board may suspend the teacher **without pay**, pending the hearing, but if the board's dismissal or removal is not sustained, the teacher shall not suffer the loss of any salary or benefits by reason of the suspension," 105 ILCS 5/24-12(d)(1).

This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. A board policy will be superseded by a collective bargaining agreement that contains provisions exceeding the requirements of the policy; in that case, the policy should state, "Please refer to the current [insert name of CBA or use a generic reference, e.g., 'agreement between the bargaining representative and the School Board']."

A superintendent or board should consult the board attorney before taking any action to suspend a licensed employee, with or without pay.

² Under the wage and hours rules, employees who are exempt from overtime requirements become eligible for overtime if they are subject to disciplinary suspensions without pay. Auer v. Robbins, 117 S.Ct. 905 (1997). Teachers are exempt from this rule. Although the U.S. Dept. of Labor modified this rule in 2004, the Illinois legislature rejected these rule changes (820 ILCS 105/4a). Illinois employers must use the federal rules as they existed on March 30, 2003. This sample policy takes a conservative approach: it does not subject non-teaching professional employees to disciplinary suspensions without pay. Some attorneys believe that non-teaching exempt employees (e.g., administrators) will remain exempt from the Fair Labor Standards Act's overtime requirements as long as suspensions are in increments of a full work week - not day-by-day. Contact the board attorney for an opinion.

The 30-day limit may be modified or deleted.

³ A difference of opinion exists among attorneys concerning whether a board is permitted to authorize the superintendent to suspend teachers without pay. Some attorneys believe such a delegation is void because of the language in 105 ILCS 5/24-12(d)(1), quoted in f/n 1. Others believe that a board may delegate the authority to the superintendent to suspend teachers without pay as a disciplinary measure as opposed to pending a dismissal hearing. Contact the board attorney for advice if the board wants to authorize the superintendent to suspend professional employees without pay.

hearing examiner will conduct a pre-suspension hearing. ⁴ The Board or its designee shall notify the professional employee of the ~~alleged charges and the~~ date and time of the hearing. At the pre-suspension hearing, the professional employee or his/her representative may present evidence. If the employee does not appeal the pre-suspension notification, the Superintendent or designee shall report the action to the Board at its next regularly scheduled meeting.

Suspension With Pay

The Board or Superintendent or designee may suspend a professional employee with pay: (1) during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the School District's best interests, (2) as a disciplinary measure for misconduct that is detrimental to the School District as defined above, or (3) pending a Board hearing to suspend a teacher without pay.

The Superintendent shall meet with the employee to present the allegations and give the employee an opportunity to refute the charges. The employee will be told the dates and times the suspension will begin and end. ⁵

Repayment of Compensation and Benefits

If a professional employee is suspended with pay, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, the employee must repay to the District all compensation and the value of all benefits received by him or her during the suspension. ⁶ The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 5 ILCS 430/5-60(b).
105 ILCS 5/24-12.
Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487 (1985).
Barszcz v. Community College District No. 504, 400 F.Supp. 675 (N.D. Ill., 1975).
Massie v. East St. Louis School District No.189, 561 N.E.2d 246 (Ill.App.5, 1990).

CROSS REF.: 5:290 (Educational Support Personnel - Employment Termination and Suspensions)

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⁴ Some case law suggests a separate hearing must be held before any suspension without pay is invoked: Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487 (1985); Barszcz v. Community College District No. 504, 400 F.Supp. 675 (N.D. Ill., 1975); Massie v. East St. Louis School District No. 189, 561 N.E.2d 246 (Ill.App.5, 1990); Spinelli v. Immanuel Lutheran Evangelical Congregation, Inc., 515 N.E.2d 1222 (1987).

⁵ Only minimal due process is required before a suspension with pay because the property interests at stake are insignificant. Some due process is recommended, however, because a suspension might jeopardize a teacher's good standing in the community and thus infringe the teacher's liberty interests protected by the Constitution. The following option places a ceiling on the number of suspension-with-pay days; the 30-day limit may be modified:

No suspension with pay shall exceed 30 school or working days in length.

⁶ This sentence restates State law (5 ILCS 430/5-60(b)).

Instruction

Student Social and Emotional Development 1

Social and emotional learning (SEL) is defined as the process through which students enhance their ability to integrate thinking, feeling, and behaving to achieve important life tasks. Students competent in SEL are able to recognize and manage their emotions, establish healthy relationships, set positive goals, meet personal and social needs, and make responsible and ethical decisions. ²

The Superintendent shall incorporate SEL into the District's curriculum and other educational programs consistent with the District's mission and the goals and benchmarks of the Ill. Learning Standards. ³ The Ill. Learning Standards include three goals for students: ⁴

1. Develop self-awareness and self-management skills to achieve school and life success.
2. Use social-awareness and interpersonal skills to establish and maintain positive relationships.
3. Demonstrate decision-making skills and responsible behaviors in personal, school, and community contexts.

The incorporation of SEL objectives into the District's curriculum and other educational programs may include but is not limited to: ⁵

1. Classroom and school-wide programming to foster a safe, supportive learning environment where students feel respected and valued. This may include incorporating scientifically based, age-and-culturally appropriate classroom instruction, District-wide, and school-wide strategies that teach SEL skills, promote optimal mental health, and prevent risk behaviors for all students.

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¹ State law requires this subject matter be covered by policy; it required districts to submit it to ISBE by 8/31/04.

² See the definition on the Ill. Children's Mental Health Partnership website:

www.icmhp.org/initiatives/SocialandEmotionalStandards.htm.

³ Required by the Children's Mental Health Act of 2003, 405 ILCS 49/. ISBE incorporated social and emotional development standards into the Ill. Learning Standards. For more information see: www.isbe.net/ils/social_emotional/standards.htm. **School social workers may implement a continuum of social and emotional education programs and services in accordance with students' needs (405 ILCS 49/15(b), amended by P.A. 98-338).**

105 ILCS 5/2-3.142, created the Ensuring Success in School Task Force. Supervised by ISBE, this task force developed policies, procedures, and protocols for school boards to adopt to address the education and related needs of students who are parents, expectant parents, or victims of domestic or sexual violence; the goal is to encourage these students to stay in school, stay safe while in school, and successfully complete their education. School boards and superintendents may want to create their own study group to prepare for implementing of the task force's policies, procedures, and protocols. A report of the task force's findings was made to the General Assembly and is available here:

<http://karenyarbrough.com/2010/News&Events/FinalESSAExecutiveSummary.pdf>
[http://povertylaw.org/sites/default/files/webfiles/final-essa-task-force-report-with-appendix%20\(1\).pdf](http://povertylaw.org/sites/default/files/webfiles/final-essa-task-force-report-with-appendix%20(1).pdf)

⁴ The goals, along with their benchmarks, descriptors and indicators are available at:

www.isbe.net/ils/social_emotional/pdf/SEL_goal1.pdf.

The specific listing of indicators is listed at: www.isbe.net/learningsupports/html/conditions.htm. The Ill. Children's Mental Health Partnership provides a more visual listing of the SEL Learning Standards in its links to Goals 31, 32 & 33 at:

www.icmhp.org/initiatives/SocialandEmotionalStandards.htm.

⁵ The objectives are a matter of local school board discretion. A board may replace the sample objectives with its own local objectives. This sample policy lists the suggested core components of a comprehensive social and emotional development policy, available on ISBE's website at: www.isbe.net/spec-ed/pdfs/cmh_core_components.pdf.

2. Staff development and training to promote students' SEL development. This may include providing all personnel with age-appropriate academic and SEL and how to promote it. ⁶
3. Parent/Guardian and family involvement to promote students' SEL development. This may include providing parents/guardians and families with learning opportunities related to the importance of their children's optimal SEL development and ways to enhance it. ⁷
4. Community partnerships to promote students' SEL development. This may include establishing partnerships with diverse community agencies and organizations to assure a coordinated approach to addressing children's mental health and SEL development.
5. Early identification and intervention to enhance students' school readiness, academic success, and use of good citizenship skills. This may include development of a system and procedures for periodic and universal screening, assessment, and early intervention for students who have significant risk factors for social, emotional, or mental health conditions that impact learning. ⁸
6. Treatment to prevent or minimize mental health conditions in students. This may include building and strengthening referral and follow-up procedures for providing effective clinical services for students with social, emotional, and mental health conditions that impact learning. This may include student and family support services, school-based behavioral health services, and school-community linked services and supports.
7. Assessment and accountability for teaching SEL skills to all students. This may include implementation of a process to assess and report baseline information and ongoing progress about school climate, students' social and emotional development, and academic performance. ⁹

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/.

CROSS REF.: 1:30, (School District Philosophy), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:180 (Preventing Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

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⁶ SEL trainers for each region in Ill. are listed here: www.icmhp.org/initiatives/SELTrainingandSupport.htm.

⁷ The Ill. Children's Mental Health Partnership provides SEL Parent Newsletters at: www.icmhp.org/initiatives/SELresources.html.

⁸ The Ill. Children's Mental Health Partnership provides information about Early Childhood Mental Health Consultation at: www.icmhp.org/initiatives/earlychildconsult.html.

⁹ For information on this objective, see ISBE's Comprehensive System of Learning Supports at: www.isbe.net/learningsupports/.

Information about school climate is available from ISBE at: www.isbe.net/learningsupports/climate/default.htm.

Instruction

English Language Learners ¹

The District offers opportunities for resident English Language Learners to develop high levels of academic attainment in English and to meet the same academic content and student academic achievement standards that all children are expected to attain. The Superintendent or designee shall develop and maintain a program for English Language Learners that will:

1. Assist all English Language Learners to achieve English proficiency, facilitate effective communication in English, and encourage their full participation in school activities and programs as well as promote participation by the parents/guardians of English Language Learners. ²
2. Appropriately identify students with limited English-speaking ability. ³
3. Comply with State law regarding the Transitional Bilingual Educational Program (TBE) or Transitional Program of Instruction (TPI), whichever is applicable. ⁴
4. Comply with any applicable State and federal requirements for the receipt of grant money for English Language Learners and programs to serve them. ⁵

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¹ State or federal law controls this policy's content. The assessment and accountability provisions in NCLB and State law include limited English proficient students (20 U.S.C. §6312-6319 and 34 C.F.R. Part 200). NCLB also provides funding to support schools' efforts to help children who are **limited English proficient learners** "develop high levels of academic attainment in English and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet," (20 U.S.C. §6801 *et seq.*). Reimbursement for programs is contingent on the submission and approval of a program plan and request for reimbursement in accordance with the requirements in 105 ILCS 5/14C-12 and 23 Ill.Admin.Code Part 228. This policy uses "English Language Learners" (ELL) rather than "Limited English Proficient" ~~the labels are interchangeable for the purpose of this (LEP).~~ **LEP is no longer a term used generally among educators and researchers in the field of English language acquisition (37 Ill. Reg. 16804). ISBE now uses the term English learners, which is synonymous with ELL. A board may use either term in its policy.**

For purposes of this policy, *English Language Learners* is synonymous with the State law definition of ~~"children of limited English speaking ability," that is, all children~~ **English learners, which means any student in preschool, kindergarten, or any of grades pre-K 1 through 12 who, (1) were not born in the U. S., whose home language background is a language other than English, and who are incapable of performing ordinary class work in whose proficiency in speaking, reading, writing, or understanding English; or is not yet sufficient to provide the student with (1) the ability to meet the State's proficiency level of achievement on State assessments, (2) were born in the U. S. of parents possessing no or limited English-speaking the ability and who are incapable of performing ordinary class work in to successfully achieve in classrooms where the language of instruction is English, or (3) the opportunity to participate fully in the school setting.** **"Limited English proficient student" and "students with limited English proficiency," as used in Article 14C of the School Code, are now English learners** (105 ILCS 5/14C-2, as amended by P.A. 95-793; and 23 Ill.Admin.Code §228.10).

² This policy's first sentence and the first numbered paragraph both allow a school board to consider the goals for its English Language Learners programs; a board should amend the sample policy accordingly.

³ Districts must administer a home language survey to each student entering the district's schools for the first time for the purpose of identifying students of non-English background (23 Ill.Admin.Code §228.15). ISBE's website contains useful information about communicating with parents/guardians, including sample Home Language Surveys and program letters in many languages (www.isbe.net/bilingual/htmls/tbe_tpi.htm).

For purposes of identifying students eligible to receive special education, districts must administer non-discriminatory procedures to English Language Learners coming from homes in which a language other than English is used (105 ILCS 5/14-8.02).

⁴ 105 ILCS 5/14C-3 and 23 Ill.Admin.Code §§228.25 and 228.30.

5. Determine the appropriate instructional program and environment for English Language Learners. ⁶
6. Annually assess the English proficiency of English Language Learners and monitor their progress in order to determine their readiness for a mainstream classroom environment. ⁷
7. Include English Language Learners, to the extent required by State and federal law, in the District's student assessment program to measure their achievement in reading/language arts and mathematics. ⁸
8. Provide information to the parents/guardians of English Language Learners about: ^{(1) (a)} the reasons for their child's identification, ^{(2) (b)} their child's level of English proficiency, ^{(3) (c)} the method of instruction to be used, ^{(4) (d)} how the program will meet their child's needs, ^{(5) (e)} specific exit requirements of the program, ^{(6) (f)} how the program will meet their child's individualized education program, if applicable, and ^{(7) (g)} information on parent/guardian rights. Parents/guardians will be regularly apprised of their child's progress and involvement will be encouraged. ⁹

Parent Involvement ¹⁰

Parents/guardians of English Language Learners will be: (1) given an opportunity to provide input to the program, and (2) provided notification regarding their child's placement in, and information about, the District's English Language Learners programs.

LEGAL REF.: 20 U.S.C. §§6312-6319 and 6801.
34 C.F.R. Part 200.
105 ILCS 5/14C-1 et seq.
23 Ill.Admin.Code Part 228.

CROSS REF.: 6:15 (School Accountability), 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program)

⁵ 20 U.S.C. §§6312-6319 and 6801 et seq.; 34 C.F.R. Part 200; 105 ILCS 5/14C-1 et seq.; and 23 Ill.Admin.Code Part 228.

⁶ 23 Ill.Admin.Code §228.25.

⁷ 23 Ill.Admin.Code §228.15(c).

⁸ 34 C.F.R. Part 200.

⁹ 20 U.S.C. §7012(a) and 23 Ill.Admin.Code §228.40.

¹⁰ 20 U.S.C. §7012(e) and 23 Ill.Admin.Code Part 228.

Students

Attendance and Truancy ¹

Compulsory School Attendance ²

This policy applies to individuals who have custody or control of a child: ~~(a) between the ages of 7 and 17 years of age (unless the child has graduated from high school); (a) whose age meets the compulsory attendance age listed in State law, or (b) who is enrolled in any of grades, kindergarten through 12, in the public school regardless of age. These individuals must cause the child to attend the District school wherein the child is assigned, except as provided herein or by State law. Unless a student has already graduated from high school, compulsory attendance ages are as follows:~~

- ~~1. Before the 2014-2015 school year, students between the ages of 7 and 17 years.~~
- ~~2. Beginning with the 2014-2015 school year, students between the ages of 6 (on or before September 1) and 17 years.~~

Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because his or her religion forbids secular activity on a particular day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program.

The parent/guardian of a student who is enrolled must authorize all absences from school and notify the school in advance or at the time of the student's absence. A valid cause for absence includes illness, observance of a religious holiday, death in the immediate family, family emergency, other situations beyond the control of the student, other circumstances that cause reasonable concern to the

~~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 boards to adopt a policy covering some of the topics herein and controls this policy's content. 105 ILCS 5/26-13 requires a policy on supportive services and available resources for truants. 23 Ill.Admin.Code §1.290 requires the same plus contains a definition of *valid cause* for absence.

² 105 ILCS 5/26-2, ~~amended by P.A. 98-544, eff. 7-1-14,~~ addresses enrolled students below ~~age 7~~ or over ~~set compulsory attendance ages, age 17~~. The ~~amendment law also~~ requires any persons having custody or control of a child who is enrolled in grades kindergarten through 12 in the public school to cause the child to attend school.

~~After the 2014-2015 school year begins, amend the first paragraph as follows:~~

~~This policy applies to individuals who have custody or control of a child: (a) between the ages of 6 (on or before September 1) and 17 years (unless the child has graduated from high school) whose age meets the compulsory attendance age listed in State law, or (b) who is enrolled in any of grades, kindergarten through 12, in the public school regardless of age. Unless a student has already graduated from high school, compulsory attendance ages are as follows:~~

- ~~1. Before the 2014-2015 school year, students between the ages of 7 and 17 years.~~
- ~~2. Beginning with the 2014-2015 school year, students between the ages of 6 (on or before September 1) and 17 years.~~

105 ILCS 5/26-1, amended by P.A. 98-544, eff. 7-1-14, contains the compulsory school age exemptions. Each listed exception is specifically included in the statute, except the reference to *home school*. See policy 7:40, *Nonpublic School Students, Including Parochial and Home-Schooled Students*, regarding assigning students who enroll from a non-public school. See policy 6:150, *Home and Hospital Instruction*, regarding providing instruction to a pregnant student who is medically unable to attend school.

parent/guardian for the student's safety or health, or other reason as approved by the Superintendent or designee. ³

Absenteeism and Truancy Program

The Superintendent or designee shall manage an absenteeism and truancy program in accordance with the School Code and School Board policy. The program shall include but not be limited to:

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Superintendent or designee is authorized to determine when the student's absence is justified. ⁴
2. A process to telephone, within 2 hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification. ⁵
3. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in the School Code, Section 26-2a.
4. Methods for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her parent(s)/guardian(s), and staff members or other people who may have information. ⁶
5. The identification of supportive services that may be offered to truant or chronically truant students, including parent-teacher conferences, student and/or family counseling, or information about community agency services. ⁷ See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.

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³ These reasons are in 105 ILCS 5/26-2a, amended by P.A. 97-218, except that "other reason as approved by the Superintendent" was added. ISBE rule requires that the absenteeism and truancy policy defines valid causes for absence (23 Ill.Admin.Code §1.290). P.A. 97-218 changed the definition of *chronic or habitual truant*, which is now "a child who is subject to compulsory school attendance and who is absent without valid cause from such attendance for 5% or more of the previous 180 regular attendance days." P.A. 97-975 replaced the Juvenile Court Act's definition of *chronic truant* with a reference to the definition in Sec. 26-2a of the School Code.

⁴ Any child "necessarily and lawfully employed" may be exempted from attendance by the superintendent "on certification of the facts by and the recommendation of the school board" (105 ILCS 5/26-1). The policy's language serves to delegate this "certification of the facts" to the superintendent or designee. The following option allows a board to consider and include specific criteria in the policy:

A student may be excused, at the Superintendent's discretion, when: (1) the student has a last period study hall, (2) the parent/guardian provides written permission, (3) the student's employer provides written verification of employment, (4) the student provides evidence of a valid work permit, or (5) other reason deemed justifiable by the Superintendent.

Child Labor laws include: 29 C.F.R. Part 570 (minimum age standards, occupations, conditions, etc.); 820 ILCS 205/ (child labor laws); 56 Ill.Admin.Code Part 250 (child labor regulations).

⁵ This notification is required by 105 ILCS 5/26-3b.

⁶ Each district must have a policy describing diagnostic procedures to identify the cause(s) of absenteeism and supportive services and available resources for truants and chronic truants (105 ILCS 5/26-13; 23 Ill.Admin.Code §1.290).

⁷ 23 Ill.Admin.Code §1.290. The School Code references to dropout prevention include: 105 ILCS 5/26-3a (regional superintendent activities and annual report); 105 ILCS 5/10-20.25a (annual report by boards); and 105 ILCS 5/1A-4(E) (State Board of Education report).

6. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education, if truancy continues after supportive services have been offered. ⁸
7. A protocol for cooperating with non-District agencies including County or municipal authorities, the Regional Superintendent, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records. ⁹
8. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a chronic truant for his or her truancy unless available supportive services and other school resources have been provided to the student. ¹⁰
9. The criteria to determine whether a student's non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Superintendent believes qualifies. ¹¹

[For high school and unit districts only]

10. A process for a 17 year old resident to participate in the District's various programs and resources for truants. ¹² The student must provide documentation of his/her dropout status for

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⁸ Use this alternative for districts in suburban Cook County: replace "Regional Office of Education" with "appropriate Intermediate Service Center." Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." P.A. 96-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

⁹ 105 ILCS 5/26-9 requires school officers and superintendents to assist truant officers. A minor who is reported by the regional superintendent as a chronic truant may be adjudicated a "truant minor in need of supervision" if the minor declines or refuses to fully participate in truancy intervention services (705 ILCS 405/3-33.5).

Counties and municipalities may regulate truants by ordinance and impose fines and/or community services on truants or, if the truant is under 10 years of age, on the parent or custodian (55 ILCS 5/5-1078.2 and 65 ILCS 5/11-5-9). Such local officials or authorities that enforce, prosecute, or adjudicate municipal ordinances adopted under 55 ILCS 5/5-1078.2 and 65 ILCS 5/11-5-9, or that work with school districts to address truancy problems, are designated as (i) part of the juvenile justice system, established by the Juvenile Court Act of 1987, and (ii) *juvenile authorities* within the definition set forth in subsection (a)(6.5) of Section 10-6 of the Ill. School Student Records Act (Id.). **A superintendent should consult with the board attorney before disclosing school student records to non-district entities.** See 7:340-AP, *Student Records* for a sample procedure for release of such records to juvenile authorities.

¹⁰ 105 ILCS 5/26-12 prohibits punitive action "unless available supportive services and other school resources have been provided to the student."

¹¹ 105 ILCS 5/26-3a requires the district to "establish, in writing, a set of criteria for use by the local superintendent of schools in determining whether a pupil's failure to attend school is the result of extraordinary circumstances, including but not limited to economic or medical necessity or family hardship."

This statute also requires the "clerk or secretary" of the board to quarterly report to the regional superintendent and Secretary of State the identity of students who were removed from the regular attendance roll, exclusive of transferees, because they were expelled; have withdrawn; left school; withdrew due to extraordinary circumstances; have re-enrolled in school since their names were removed from the attendance rolls; were certified to be chronic or habitual truants; or were previously certified as chronic or habitual truants who have resumed regular school attendance. The statute provides that the status of a driver's license or instructional permit will be jeopardized for a student who is the subject of this notification because of non-attendance unless the non-attendance is due to extraordinary circumstances as determined by the local district. State Superintendent Koch announced in his *Weekly Message*, 8-28-07, www.isbe.net/board/archivemessages/message_082807.pdf, p.2, that ISBE is delaying implementing this statute based upon legal guidance from the U.S. Department of Education's Family Policy Compliance Office that its implementation would violate the Federal Education Rights and Privacy Act.

¹² A district must allow this participation; the length of the drop-out period and the documentation requirement contained in the next sentence are permissive (105 ILCS 5/26-14).

~~the previous 6 months. A request from an individual 19 years of age or older to re-enroll after having dropped out of school is handled according to provisions in 7:50, *Students School Admissions and Student Transfers To and From Non-District Schools*.~~

- ~~11. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum academic or attendance standards according to provisions in State law. A parent/guardian has the right to appeal a decision to exclude a student. 13~~

LEGAL REF.: 105 ILCS 5/26-1 through 16.
705 ILCS 405/3-33.5.
23 Ill.Admin.Code §§1.242 and 1.290.

CROSS REF.: 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), 7:190 (Student Discipline), 7:340 (Student Records)

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13 Optional, but provided in 105 ILCS 5/26-2(c); ISBE's rule controls the appeal process, 23 Ill.Admin.Code §1.242.

Students

Search and Seizure 1

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers. 2

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. 3

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal

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1 State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled. Consult the board's attorney with questions about implementing this policy and searching students or seizing their possessions.

According to Fourth Amendment cases, a search by the police requires "probable cause" supported by a warrant. However, in a U.S. Supreme Court decision, cited in every student search case, the Court upheld the warrantless search of a student. A search is: (1) justified at its inception when there are reasonable grounds for suspecting the search of a particular student will turn up evidence that the student violated the law or school rules, and (2) permissible in its scope when it is reasonably related to the search's objective and not excessively intrusive. *T.L.O. v. New Jersey*, 105 S.Ct. 733 (1985).

2 The Ill. Supreme Court upheld a search conducted by a school liaison officer, saying: "Decisions ... that involve police officers in school settings can generally be grouped into three categories: (1) those where school officials initiate a search or where police involvement is minimal, (2) those involving school police or liaison officers acting on their own authority, and (3) those where outside police officers initiate a search. Where school officials initiate the search or police involvement is minimal, most courts have held that the reasonable suspicion test [applies]. ... The same is true in cases involving school police or liaison officers acting on their own authority. ... However, where outside police officers initiate a search, or where school officials act at the behest of law enforcement agencies, the probable cause standard has been applied. In the present case, the record shows that Detective Ruettiger was a liaison police officer on staff at the Alternate School, which is a high school student with behavioral disorders. ... We hold that the reasonable suspicion standard applies under these facts." *People v. Dilworth*, 661 N.E.2d 310 (Ill., 1996).

3 A State statute allows school officials to inspect the personal effects left by a student on property owned or controlled by the school, e.g., lockers, desks, and parking lots (105 ILCS 5/10-22.6(e)). This law does not mean that school officials have an excuse for unjustifiably opening students' possessions looking for contraband (see footnote 1). See *Doe v. Little Rick School Dist.*, 380 F.3d 349 (8th Cir., 2004) (Searches conducted pursuant to the following policy were unconstitutional: "[B]ook bags, backpacks, purses and similar containers are permitted on school property as a convenience for students," and "if brought onto school property, such containers and their contents are at all times subject to random and periodic inspections by school officials.").

The Fourth Amendment protects individuals from searches only when the person has a legitimate expectation of privacy. While case law supports that lockers, as school property, may be searched without individualized suspicion of wrongdoing, many cases suggest that in order to search a student's possessions left in the locker, school officials need individualized suspicion of wrongdoing. This paragraph, as well as 105 ILCS 5/10-22.6(e), attempts to avoid Fourth Amendment protection for personal property left by students on school property by telling students not to expect privacy in these places or in their personal property left there. **This is an unsettled area of the law and should be reviewed with the school board's attorney.**

Option for high school and unit districts:

This paragraph applies to student vehicles parked on school property. In addition, Building Principals shall require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. ⁴

Students ⁵

School authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. ⁶ The search itself must be conducted in a manner that is reasonably related to its objective and not excessively intrusive in light of the student's age and sex, and the nature of the infraction. ⁷

When feasible, the search should be conducted as follows: ⁸

1. Outside the view of others, including students,
2. In the presence of a school administrator or adult witness, and
3. By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities. ⁹

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⁴ 105 ILCS 5/10-22.6(e). The sample policy may be amended to name other staff members who are authorized to request law enforcement aid.

⁵ For more information about searches, seizures and interviews of students, see *Guidelines for Interviews of Students at School by Law Enforcement Authorities*, published by the Ill. Council of School Attorneys and available at: www.iasb.com/law/icsguidelines.cfm.

⁶ TLO, 105 S. Ct. at 743. An unsubstantiated tip from a student may serve as the grounds for a search. People v. Pruitt, 662 N.E.2d 540 (Ill.App.1, 1996).

⁷ 105 ILCS 5/10-22.6(e) and TLO, 105 S. Ct. at 735.

⁸ Optional; these are practical guidelines that will help to ensure that all searches comply with constitutional requirements. State or federal law requires nothing in this paragraph. For an alternative to intrusive pat-down searches and guidelines on strip searches, see Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993). There, school officials had reason to believe that a high school student was concealing illegal drugs in his crotch area. Believing a pat down to be excessively intrusive and ineffective at detecting drugs, the school officials required the student to change into his gym clothes in a locked locker room while male school officials observed him. The search was upheld. But see, Stuczynski v. Bremen High School, 423 F.Supp.2d 823 (N.D.Ill., 2006) (The requisite individualized, reasonable suspicion to conduct a strip search was missing where the only reason for the strip search was the dean's belief that the students were the last students in a locker room before the money was reported missing.). See also, Safford Unified School Dist. v. Redding, 129 S. Ct. 2633 (2009) (finding a strip search of student was not justified under the circumstances even though the asst. principal had reasonable suspicion but still awarded qualified immunity to the asst. principal because the law was unclear).

A school district may randomly conduct a mass search by using a metal detector. People v. Pruitt, 662 N.E.2d 540 (Ill.App.1, 1996). The use of a metal detector must be according to the district's standards for when and how metal detector searches are to be conducted.

The U.S. Supreme Court upheld a random drug testing policy for student athletes and extracurricular participants, (Vernonia School Dist. 47J v. Acton, 115 S.Ct. 2386 (1995); and Independent School Dist. of Pottawatomie County v. Earls, 122 S.Ct. 2559 (2002)). The circumstances justifying random drug searches do not exist for the entire student body; thus, random drug tests of the student body would probably not survive constitutional scrutiny.

⁹ See 105 ILCS 5/10-22.6(e).

Notification Regarding Student Accounts or Profiles on Social Networking Websites

State law requires the District to notify students and their parents/guardians that school officials may request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website. This request may be made only if there is reasonable cause to believe that the student's account contains evidence that he or she violated a school disciplinary rule or Board policy. 10

- LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.
Right to Privacy in the School Setting Act, 105 ILCS 75/.
Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir., 1993).
People v. Dilworth, 661 N.E.2d 310 (Ill., 1996), *cert. denied*, 116 S.Ct. 1692 (1996).
People v. Pruitt, 662 N.E. 2d 540 (Ill.App.1, 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).
T.L.O. v. New Jersey, 105 S.Ct. 733 (1985).
Vernonia School Dist. 47J v. Acton, 115 S.Ct. 2386 (1995).
Safford Unified School Dist. No. 1 v. Redding, 129 S. Ct. 2633 (2009).
- CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Discipline)

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10 Right to Privacy in the School Setting Act, 105 ILCS 75/1 and 15, added by P.A. 98-129. This law does not change the TLO standard (see f/n 6 above); it requires districts to provide parents/guardians with notice of the standard. Depending upon the social media platform and settings chosen by the student and his or her parents, a student may have a legitimate expectation of privacy in his or her social media accounts and profile(s) (see f/n 3, second paragraph, above for a discussion about the Fourth Amendment).

In addition to policy, the law also lists a school's student handbook as an additional method for publication of this information. For sample handbook language, see the Illinois Principals Association Online Model Student Handbook (MSH) at: www.ilprincipals.org/resources/model-student-handbook.

Students

Preventing Bullying, Intimidation, and Harassment ¹

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors is an important District goal.

Bullying on the basis of actual or perceived race, color, nationality, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in each of the following situations:

1. During any school sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school sponsored or school sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.

For purposes of this policy, the term *bullying* means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student in reasonable fear of harm to the student's person or property.
2. Causing a substantially detrimental effect on the student's physical or mental health.
3. Substantially interfering with the student's academic performance.
4. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying, intimidation, and/or harassment may take various forms, including without limitation: threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation,

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¹ All districts must have a policy on bullying (105 ILCS 5/27-23.7). The policy must be filed with ISBE; it must be updated every 2 years and again filed with ISBE. State law does not specify the content of the bullying policy. This sample policy's first paragraph allows a school board to consider its goals for eliminating and preventing bullying and should be amended accordingly. The second paragraph is directly from the statute requiring districts to have a bullying policy, except that the statute also includes *unfavorable discharge from military service* (105 ILCS 5/27-23.7(a); see also 775 ILCS 5/1-103 and 23 Ill.Admin.Code §1.240). *Unfavorable discharge from military service* is not included because of its general inapplicability to students in K-12. This policy's list of protected classifications is identical to the list in 7:20, *Harassment of Students Prohibited*. The definition of *bullying* (3rd paragraph) and the examples of various forms of bullying (4th paragraph) are from 105 ILCS 5/27-23.7.

Boards must annually communicate their bullying policy to students and their parents/guardians (see item 8 in the policy). This may be accomplished, in part, by including a statement, such as the following, in the student handbook and school website:

Bullying, intimidation, and harassment are not acceptable in any form and will not be tolerated at school or any school-related activity. The School District will protect students against retaliation for reporting incidents of bullying, intimidation, or harassment, and will take disciplinary action against any student who participates in such conduct.

destruction of property, or retaliation for asserting or alleging an act of bullying. For purposes of this policy, the term *bullying* includes harassment, intimidation, retaliation, and school violence.

A student who is being bullied is encouraged to immediately report it orally or in writing to the District Complaint Manager or any staff member with whom the student is comfortable speaking. Anyone who has information about actual or threatened bullying is encouraged to report it to the District Complaint Manager or any staff member. The District will not punish anyone because he or she made a complaint or report, supplied information, or otherwise participated in an investigation or proceeding, provided the individual did not make a knowingly false accusation or provide knowingly false information.

The Superintendent or designee shall develop and maintain a program that:

1. Fully implements and enforces each of the following Board policies: ²

a. 2:260, *Uniform Grievance Procedure*. This policy contains the process for an individual to seek resolution of a complaint. A student may use this policy to complain about bullying. The District Complaint Manager shall address the complaint promptly and equitably. After an investigation, the Complaint Manager shall file a written report of his or her findings with the Superintendent for his or her action. The student may appeal any decision to the Board.

b. 6:235, *Access to Electronic Networks*. This policy states that the use of the District's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use. It subjects any individual to the loss of privileges, disciplinary action, and/or appropriate legal actions for violating the District's *Authorization of Electronic Network Access*.

~~a.c.~~ 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy. ~~Each of~~ Those characteristics ~~is~~ are also identified in ~~this policy's the~~ second paragraph of 7:180, *Preventing Bullying, Intimidation, and Harassment*.

d. 7:185, *Teen Dating Violence Prohibited*. This policy prohibits teen dating violence on school property, at school sponsored activities, and in vehicles used for school-provided transportation. It encourages anyone with information about an incident of teen dating violence to report it to any school staff member.

~~b.e.~~ 7:190, *Student Discipline*. This policy prohibits students from engaging in hazing, bullying, or any kind of aggressive behavior that does physical or psychological harm to another or any urging of other students to engage in such conduct; prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, or other comparable conduct.

~~e.f.~~ 7:310, *Restrictions on Publications*. This policy prohibits students from: ~~(#1)~~ accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and ~~(#2)~~ creating and/or distributing written, printed, or electronic material, including photographs and Internet

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² Be sure the referenced board policies, as adopted locally, contain the language paraphrased in this policy. If not, either substitute similar language from the locally adopted board policies on the same topic, or just insert the titles from relevant locally adopted policies.

material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members. ³

~~d. 6:235, Access to Electronic Networks. This policy states that the use of the District's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use. It subjects any individual to the loss of privileges, disciplinary action, and/or appropriate legal actions for violating the District's Authorization of Electronic Network Access.~~

Full implementation of the above policies includes: ~~(a (1) conducting a prompt and thorough investigation of alleged incidents of bullying, intimidation, harassing behavior, or similar conduct; (b (2) providing each student who violates one or more of these policies with appropriate consequences and remedial action, and (c (3) protecting students against retaliation for reporting such conduct bullying.~~

2. Examines the appropriate steps to understand and rectify conditions that foster bullying, intimidation, and harassment; this contemplates taking action to eliminate or prevent these disruptive behaviors beyond traditional punitive disciplinary actions.
3. Includes bullying prevention and character instruction in all grades in accordance with State law and Board policy 6:60, *Curriculum Content*. ⁴ This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*. ⁵
4. Fully informs staff members of the District's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes each of the following:
 - a. Communicating the District's expectation — and ~~the~~ State law requirement — that teachers and other certificated or licensed employees maintain discipline. ⁶
 - b. Establishing the expectation that staff members: (1) intervene immediately to stop a bullying incident that they witness or immediately contact building security and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
 - c. Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs.

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³ School officials must proceed carefully before disciplining a student for out-of-school conduct. A school's authority over off-campus expression is much more limited than expression on school grounds. However, school officials may generally: (1) remove a student from extracurricular activities when the conduct code for participation requires students to conduct themselves at all times as good citizens and exemplars of the school (see 7:240, *Conduct Code for Participants in Extracurricular Activities*); and (2) suspend or expel a student from school attendance when the student's expression causes substantial disruption to school operations or violates the rights of others. But see Brandt v. Zamecnik v. Indian Prairie School Dist. #204, 636 F.3d 874 (7th Cir. 2011) (school district violated students' free speech rights by forbidding them from wearing at school a T-shirt saying Be Happy, Not Gay).

⁴ 105 ILCS 5/27-23.7, 105 ILCS 5/14-1.09.2, amended by P.A. 98-338, states that social work services may include establishing and implementing bullying prevention and intervention programs.

⁵ 405 ILCS 49/, amended by P.A. 98-338.

⁶ Required by 105 ILCS 5/24-24.

~~a.d.~~ Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying, ~~intimidation, harassment, and other acts of actual or threatened violence.~~

- ~~4.5.~~ Encourages all members of the school community, including students, parents, volunteers, and visitors, to report: (a) alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence, and (b) locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
- ~~5.6.~~ Actively involves students' parents/guardians in the remediation of the behavior(s) of concern. This includes ensuring that all parents/guardians are notified, as required by State law, whenever their child engages in aggressive behavior. ⁷
- ~~6.7.~~ Communicates the District's expectation that all students conduct themselves with a proper regard for the rights and welfare of other students. This includes a process for commending or acknowledging students for demonstrating appropriate behavior.
- ~~7.8.~~ Annually communicates this policy to students and their parents/guardians. ⁸ This includes annually disseminating information to all students and parents/guardians explaining the serious disruption caused by bullying, intimidation, or harassment and that these behaviors will be taken seriously and are not acceptable in any form.
- ~~8.9.~~ Engages in ongoing monitoring that includes collecting and analyzing appropriate data on the nature and extent of bullying in the District's schools and, after identifying appropriate indicators, assesses the effectiveness of the various strategies, programs, and procedures and reports the results of this assessment to the Board along with recommendations to enhance effectiveness.
- ~~9.10.~~ Complies with State and federal law and is in alignment with Board policies. This includes prompting the Board to update the policy beginning every 2 years after its initial adoption and filing this policy with the Illinois State Board of Education after the Board adopts or updates it. ⁹

This policy is not intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 or 4 of Article 1 of the Ill. Constitution. ¹⁰

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⁷ 105 ILCS 5/10-20.14; see 7:190-E1, *Aggressive Behavior Reporting Letter and Form*.

⁸ Required by 105 ILCS 5/27-23.7(d).

⁹ *Id.*

¹⁰ The bullying statute also contains this caveat (*Id.*).

LEGAL REF.: 405 ~~HS~~ ILCS 49/, Children's Mental Health Act.
105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.
23 Ill.Admin.Code §§1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:310 (Restrictions on Publications)

Community Relations

Parental Involvement 1

In order to assure collaborative relationships between students' families and the District, and to enable parents/guardians to become active partners in their children's education, the Superintendent shall:

1. Keep parents/guardians thoroughly informed about their child's school and education.
2. Encourage parents/guardians to be involved in their child's school and education.
3. Establish effective two-way communication between parents/guardians and the District.
4. Seek input from parents/guardians on significant school-related issues.
5. Inform parents/guardians on how they can assist their children's learning.

The Superintendent shall periodically report to the School Board on the implementation of this policy.

CROSS REF.: 6:170 (Title I Programs), 6:250 (Community Resource Persons and Volunteers), 8:10 (Connection with the Community), 8:90 (Parent Organizations and Booster Clubs)

ADMIN. PROC.: 6:170-E1 (District Level Parental Involvement Compact in Title I Programs), 6:170-E2 (School Level Parental Involvement Compact in Title I Programs)

1 A board may implement *Bring Your Parents to School Day* the first Monday in October of each year (105 ILCS 5/10-20.55, added by P.A. 98-304). Its purpose is to promote parental involvement and student success. Consult the board attorney for advice before implementing this law. It may be an item upon which collective bargaining may be required. Any policy that impacts wages, hours, or terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. Boards may also want to consider the impact *Bring Your Parents to School Day* may have upon students' instructional time how the implementation of this day will impact school safety and security. See 4:170, *Safety* and its implementing procedures.

If a board chooses to implement this day, the following optional subhead may be inserted:

Bring Your Parents to School Day

On the first Monday in October of each year, students' parents/guardians are invited to attend class with their children and meet with teachers and administrators during the school day.

The following legal reference must also be inserted into the policy: "105 ILCS 5/10-20.55."

Operational Services

Insurance Management 1

The Superintendent shall recommend and maintain all insurance programs that provide the broadest and most complete coverage available at the most economical cost, consistent with sound insurance principles.

The insurance program shall include each of the following: 2

1. Liability coverage to insure against any loss or liability of the School District and the listed individuals against civil rights damage claims and suits, constitutional rights damage claims and suits, and death and bodily injury and property damage claims and suits, including defense costs, when damages are sought for negligent or wrongful acts allegedly committed in the scope of employment or under the Board's direction or related to any mentoring services provided to the District's certified staff members; School Board members; employees; volunteer personnel authorized by 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b; mentors of certified staff members authorized in 105 ILCS 5/21A-5 et seq. (new teacher), 105 ILCS 5/2-3.53a (new principal), and 2-3.53b (new superintendents); and student teachers. 3
2. Catastrophic accident insurance at the mandated benefit level for student athletes in grades 9 through 12 who sustain an accidental injury while participating in school-sponsored or school-supervised interscholastic athletic events sanctioned by the Illinois High School Association that results in medical expenses in excess of \$50,000. 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 controls this policy's content. The Health Insurance Portability and Accountability Act (HIPAA) guarantees the continuity of health insurance benefits for individuals changing employment. It also contains provisions promoting the: (1) standardization and efficiency for the electronic submission, processing, and payment of health care claims, and (2) security and privacy requirements for health information (see 45 C.F.R. §§160 and 164). **School officials are urged to consult with their insurance providers and legal counsel to devise a compliance plan.**

2 Other types of district-purchased insurance should also be listed here, such as, insurance programs for employees and their dependents (authorized by 105 ILCS 5/10-22.3a). Note that: (1) any employee or retired employee insurance program is a mandatory subject of bargaining, and (2) State law provides persons entering into a civil union with the obligations, responsibilities, protections, and benefits afforded or recognized by Ill. law to spouses (750 ILCS 75/).

3 A board's duty to indemnify and protect specific individuals is found in 105 ILCS 5/10-20.20. A board's duty to insure against loss or liability is found in 105 ILCS 5/10-22.3. The lists of individuals to be protected are identical in both statutes except that *mentors* was added in 2009 to only the indemnification statute. As the best method for providing indemnification is through insurance, this policy includes mentors in its list of individuals covered by the district's liability insurance.

4 105 ILCS 5/22-15, amended by P.A. 98-166, requires each school district having grades 9 through 12 to maintain catastrophic insurance coverage for student athletes participating in interscholastic athletic events sanctioned by IHSA. The minimum level of coverage must provide aggregate benefit levels of \$3 million or 5 years, whichever comes first, for injuries with total medical expenses exceeding \$50,000. The law authorizes IHSA to promulgate a plan of coverage under a group policy that provides the necessary coverage. If a district opts out of IHSA's group policy, it must offer alternative coverage and submit to IHSA a certificate from the provider stating that the insurance complies with the plan of coverage approved by IHSA.

3. Comprehensive property insurance covering a broad range of causes of loss involving building and personal property. The coverage amount shall normally be for the replacement cost or the insurable value.
4. Workers' Compensation to protect individual employees against financial loss in case of a work-related injury, certain types of disease, or death incurred in an employee-related situation.

Student Insurance 5

~~The Board shall annually designate a company to offer student accident insurance coverage. The Board does not endorse the plan nor recommend that parents/guardians secure the coverage, and any contract is between the parents/guardians and the company.~~

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LEGAL REF.: Consolidated Omnibus Budget Reconciliation Act, P. L. 99-272, ¶ 1001, 100 Stat. 222, 4980B(f) of the I.R.S. Code, 42 U.S.C. §300bb-1 et seq.
105 ILCS 5/10-20.20, 5/10-22.3, 5/10-22.3a, 5/10-22.3b, 5/10-22.3f, 5/10-22.34, 5/10-22.34a, 5/10-22.34b, and 5/22-15.
215 ILCS 5/.
750 ILCS 75/.
820 ILCS 305/.

Student Insurance

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District 64 provides student accident insurance, at no cost, to all District 64 students. The plan provides medical coverage for all accidents occurring during school-sponsored and supervised activities, including all sports. The supplemental plan pays the reasonable and customary charges not paid by other insurance for any covered accidental bodily injury. If there is no other family medical insurance, this plan would provide the primary insurance for the covered accident. There is no deductible. In the event of an accident, claim forms can be obtained from the school office. It is the responsibility of the parent/guardian to request the form and complete the process.

Delete item #2 if the district: (1) does not maintain grades 9-12, or (2) qualifies for an exemption from the mandatory coverage (contact IHSA or the board attorney for information about claiming an exemption). A district maintaining grades K-8 may, but is not required to, provide accident and/or health insurance on a group or individual basis for students injured while participating in any school-sponsored athletic activity. If so, the following may be *added to* item #2 (for unit districts) or may *replace* item #2 (for elementary districts): "Accident and/or health insurance on a group or individual basis for students in grades kindergarten through 8 participating in any school-sponsored athletic activity." If item #2 is deleted and the option is not used, the board should omit the citation to catastrophic accident insurance (5/22-15) in the legal references.

5 Optional. Until May 2014, this paragraph was included in sample policy 4:170, Safety.

Operational Services

Environmental Quality of Buildings and Grounds ¹

The Superintendent shall take all reasonable measures to protect: (1) the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials, and (2) the environmental quality of the District's buildings and grounds. ² Before pesticides are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students as

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

¹ State and/or federal law control this policy's content and require districts to:

1. Have a procedure to comply with the Structural Pest Control Act and the Lawn Care Products Application and Notice Act (105 ILCS 5/10-20.4). See 4:160-AP, *Administrative Procedure - Environmental Quality of Buildings and Grounds*.
2. Designate a staff person to be responsible for district compliance with the safety Acts listed in #1 above. This policy designates the superintendent or designee.

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

- ~~1. Owners of underground storage tanks must comply with federal law (Hazardous and Solid Waste Amendments of 1984, Pub.L. No. 98-616), as well as State regulations (41 Ill. Admin. Code Part 170).~~
- ~~2.1.~~ Several federal laws regulate asbestos as a hazardous substance, the most significant for schools being the Asbestos Hazard Emergency Response Act of 1986. The Asbestos Abatement Act, 105 ILCS 105/, requires schools to perform a variety of functions regarding asbestos.
- ~~3.2.~~ The Indoor Air Quality Act, 410 ILCS 87/. The Ill. Dept. of Public Health Guidelines for Indoor Air Quality are advisory, i.e., not enforceable.
www.idph.state.il.us/envhealth/factsheets/indoorairqualityguide_fs.htm
- ~~4.3.~~ The Smoke-Free Illinois Act, 410 ILCS 82/, bans tobacco smoking inside schools.
- ~~5.4.~~ The Structural Pest Control Act, 225 ILCS 235/ requires the Ill. Dept. of Public Health to establish guidelines for an integrated pest management program for schools. See: www.idph.state.il.us/envhealth/ipm/index.htm, or www.idph.state.il.us/envhealth/entpestfshts.htm.
- ~~6.5.~~ Notices to employees and parents/guardians before pesticide applications are required by the Structural Pest Control Act (225 ILCS 235/10.3). The Lawn Care Products Application and Notice Act requires similar notices but only to parents/guardians (415 ILCS 65/3).
- ~~7.6.~~ The Green Cleaning School Act, 105 ILCS 140/, and Green Cleaning for Elementary and Secondary Schools, 23 Ill. Admin. Code Part 2800, contain guidelines for green cleaning. See policy 150, *Facility Management and Building Program*.
- ~~8.7.~~ The Green Buildings Act requires all new State-funded building construction and major renovation projects to meet specified environmental requirements (20 ILCS 3130). Waivers may be granted by the Capital Development Board in certain situations (*Id.*).
- ~~9.8.~~ The Ill. legislature recommended that each occupied school building be tested every 5 years for radon and provided a process for the screening in 105 ILCS 5/10-20.48.

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

² A board persuaded by #8 in the above footnote may add the following option:

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

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

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

required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/. 3

LEGAL REF.: 29 C.F.R. ~~Part~~ §1910.1030, Occupational Exposure to Bloodborne Pathogens, as adopted by the Illinois Department of Labor, 56 Ill.Admin.Code §350.300(c).
29 C.F.R. §1910.1200, Occupational Safety and Health Administration Hazard Communication Standards, as adopted by 820 ILCS 255/1.5, Toxic Substances Disclosure to Employees Act.
20 ILCS 3130/, Green Buildings Act.
105 ILCS 5/10-20.17a; 5/10-20.48; 135/; and 140/, Green Cleaning School Act.
225 ILCS 235/, Structural Pest Control Act.
415 ILCS 65/, Lawn Care Products Application and Notice Act.
820 ILCS 255/, Toxic Substances Disclosure to Employees Act. (*inoperative*)
23 Ill.Admin.Code §1.330, Hazardous Toxic Materials Training.
~~56 Ill.Admin.Code Part 205, Toxic Substances Disclosure To Employees.~~

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

~~ADMIN. PROC.: 4:160 AP (Administrative Procedure—Environmental Quality of Buildings and Grounds)~~

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

³ Different requirements pertain to the notices in the Structural Pest Control Act (225 ILCS 235/10.3) and the Lawn Care Products Application and Notice Act (415 ILCS 65/3(f)). Both require notice to parents/guardians. Notice to employees is only required by the Structural Pest Control Act. For the sake of simplicity, the sample policy requires notice to employees before pesticides are used. Notice at least 4 business days before application is required by Lawn Care Products Application and Notice Act; notice at least 2 business days is required by the Structural Pest Control Act.

If the following alternative is used, omit the policy's last sentence:

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

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

Operational Services

Safety ¹

Safety Program and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on District property or at a District event. ² The Superintendent or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

1. An emergency operations plan(s) addressing prevention, preparation, response, and recovery for each school; ³
2. Provisions for a coordinated effort with local law enforcement and fire officials, emergency medical services personnel, and the Board Attorney;
3. A school safety drill plan;
4. Instruction in safe bus riding practices; ⁴ and
5. A clear, rapid, factual, and coordinated system of internal and external communication.

~~The Superintendent or designee shall develop and implement a comprehensive safety and crisis plan incorporating both avoidance and management guidelines. The comprehensive safety and crisis plan shall specifically include provisions for: injury prevention; bomb threats, weapons, and explosives on campus; school safety drill program; tornado protection; instruction in safe bus riding practices; emergency aid; post-crisis management; and, responding to medical emergencies at an indoor and outdoor physical fitness facility. During each academic year, each school building that houses school children must conduct a minimum of:~~

- ~~1. Three school evacuation drills,~~
- ~~2. One bus evacuation drill,~~
- ~~3. One severe weather and shelter in place drill, and~~
- ~~4. One law enforcement drill.~~

~~The law enforcement drill must be conducted according to the District's comprehensive safety and crisis plan, with the participation of the appropriate law enforcement agency. This drill may be conducted on days and times that students are not present in the building.~~

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 a policy on several topics in this policy (see f/n 7, 8 & 9) and otherwise controls this policy's content. Topics previously assigned to this code number were moved in May 2014 and placed in 4:100, *Insurance Management* and 4:175, *Convicted Child Sex Offender; Notifications*.

² This simple end statement should be discussed and altered accordingly before board adoption. Ask: what effect or impact will this statement have on the students and the community?

³ See administrative procedure 4:170-AP1, *Comprehensive Safety and Security Plan*. This procedure follows the recommendations in the "Guide for Developing High-Quality School Emergency Operations Plans," produced by a collaboration of federal agencies in 2013, available at rems.ed.gov/docs/REMS_K-12_Guide_508.pdf. The *Guide* informs schools what they need to do, not what to do. It recommends a process for developing, implementing, and continually refining a school emergency operations plan as well as a discussion of its form, function, and content.

⁴ Required by 105 ILCS 128/20(b) and 105 ILCS 5/10-20.14 for all students. See 4:110-AP3, *School Bus Safety Rules*.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practices discussed for their building regarding the use of any available cellular telephone telephones. ⁵

School Safety Drill Plan ⁶

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

1. Three school evacuation drills
2. One bus evacuation drill
3. One severe weather and shelter-in-place drill
4. One law enforcement drill

Automated External Defibrillator (AED) ⁷

The Superintendent or designee shall implement a written plan for responding to medical emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act. The plan shall provide for an automated external defibrillator (AED) to be available according to State law requirements. This policy does not create an obligation to use an AED nor is it intended to create any expectation that an AED will be present or a trained person will be present and/or able to use an AED.

Soccer Goal Safety ⁸

The Superintendent or designee shall implement the Movable Soccer Goal Safety Act in accordance with the guidance published by the Illinois Department of Public Health. Implementation of the Act

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

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

⁶ Each of the listed drills is required by the School Safety Drill Act, 105 ILCS 128/, amended by P.A. 98-48.

105 ILCS 5/2-3.12 authorizes fire officials to conduct routine fire safety checks, provided written notice is given to the principal requesting to schedule a mutually agreed upon time. No more than two routine inspections may be made in a calendar year. Each drill's requirements are comprehensively covered in 4:170-API, *Comprehensive Safety and Security Plan*. For information about documenting minimum compliance with the School Safety Drill Act, see www.isbe.net/safety/guide.htm.

⁷ Each indoor and outdoor physical fitness facility serving at least 100 individuals must "adopt and implement a written plan for responding to medical emergencies that occur at the facility during the time that the facility is open for use by its members or by the public." The facility must file the plan with the Ill. Dept. of Public Health. In addition, each indoor facility must have at least one AED on the premises, and each outdoor facility must house an AED in a building, if any, that is within 300 feet of the outdoor facility. See the statute and administrative rules for the other numerous mandates: 210 ILCS 74/ (*Physical Fitness Facility Medical Emergency Preparedness Act*); 77 Ill.Admin.Code Part 527. Also see 4:170-AP6, *Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED*.

⁸ Include this section only if the school district owns and controls a movable soccer goal (*Movable Soccer Goal Safety Act, a/k/a Zach's Law*, 430 ILCS 145/). The Act requires: (1) organizations that own and control a movable soccer goal to create a soccer goal safety and education policy that outlines how the organization will specifically address the safety issues associated with movable soccer goals, and (2) the Ill. Dept. of Public Health to provide technical assistance materials, which are available at: www.idph.state.il.us/soccer_goal_safety/index.htm.

shall be directed toward improving the safety of ~~moveable~~ movable soccer goals by requiring that they be properly anchored.

Convicted Child Sex Offender and Notification Laws

This topic was moved to policy 4:175, *Convicted Child Sex Offender; Criminal Background Check and/or Screen; Notifications*. The sample contract clause addressing contractors' employees who have direct, daily contact with one or more students was moved to 4:60-AP3, *Administrative Procedure - Criminal History Records Check of Contractor Employees*.

Unsafe School Choice Option ⁹

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

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

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

Student Insurance

This topic was moved to policy 4:100, *Insurance Management*.

Emergency Closing

The Superintendent is authorized to close ~~the schools~~ school(s) in the event of hazardous weather or other emergencies emergency that ~~threaten~~ threatens the safety of students, staff members, or school property. ¹⁰

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

⁹ This topic must be covered in board policy (105 ILCS 5/10-21.3a). See also 20 U.S.C. §7912. ISBE maintains a list of persistently dangerous schools. Districts having only one school may substitute the following for this paragraph:

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

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

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

Annual Review 11

The School Board or its designee will annually review each school building's safety and security plans, protocols, and procedures, as well as each building's compliance with the school safety drill plan.

Incorporated

by Reference: 4:170 AP2 (Criminal Offender Notification Laws), 4:170 AP3 (School Bus Safety Rules), 4:170 AP6 (Plan for Responding to a Medical Emergency at a Physical Fitness Facility with an AED), 5:30 AP2 (Investigations)

LEGAL REF.:

— Adam Walsh Child Protection and Safety Act, P.L. 109-248.
Uniform Conviction Information Act, 20 ILCS 2635/.

105 ILCS 5/10-20.282, 5/18-12, 5/21B-80, 18-12, 5/10-21.9, and 128/
210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act, 210
ILCS 74/.

III. Vehicle Code, 625 ILCS 5/12-813.1.

Criminal Code of 2012, 720 ILCS 5/11-9.3,

Unified Code of Corrections, 730 ILCS 152/101 et seq.

CROSS REF.:

4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Criminal
Background Check and/or Screen; Notifications), 4:180 (Pandemic
Preparedness), 5:30 (Hiring Process and Criteria), 6:190 (Extracurricular and Co-
Curricular Activities), 6:250 (Community Resource Persons and Volunteers),
7:220 (Bus Conduct), 7:300 (Extracurricular Athletics 8:30 (Visitors to and
Conduct on School Property), 8:100 (Relations with Other Organizations and
Agencies)

10 When a school is closed or its starting time is delayed due to adverse weather conditions or a health or safety threat, the district may count a partial day of attendance as a full day for State aid purposes, provided: (1) at least one hour of instruction was provided or the normal start time was delayed, and (2) the superintendent provides the Regional Superintendent or the Suburban Cook County Intermediate Service Center, whichever is appropriate, with a written report in support of the partial day within 30 days (105 ILCS 5/18-12). P.A. 96-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to the Intermediate Service Center for the area.

105 ILCS 5/18-12.5 governs claiming state aid if a district closes one or more schools, but not all schools, during the public health emergency, as determined by ISBE in consultation with the Ill. Dept. of Public Health.

11 State law requires each school board or its designee to conduct one annual meeting at which it reviews each building's emergency and crisis response plan, protocols, and procedures and each building's compliance with the school safety drill plan (105 ILCS 128/25 and 128/30.) If the school board uses a designee, it should preferably be someone other than the District Safety Coordinator to assure an unbiased audit. The statutes contain detailed requirements. The board or its designee must complete a one-page report certifying that the review took place, among other things. The board or its designee must send a copy of the report to each participating party and the appropriate Regional Superintendent. ISBE's website contains an annual review checklist and report at www.isbe.net/safety/guide.htm.

MATERIAL RELOCATED FROM 4:170

March 2013 May 2014

4:170175

Operational Services

Convicted Child Sex Offender Notification Laws; Criminal Background Check and/or Screen; Notifications ¹

Persons Prohibited on School Property without Prior Permission

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions: ²

1. The offender is a parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. The offender received permission to be present from the School Board, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent, or designee ~~who is a certified employee~~ shall supervise a child sex offender whenever the offender is in a child's vicinity. ³ If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school. ⁴

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

¹ The topic covered by this policy was previously a part of 4:170, *Safety*.

² The Criminal Code, 720 ILCS 5/11-9.3, contains these requirements concerning a child sex offender's presence on school property. An Illinois federal court denied a father's request to enjoin a school's policy that prohibited him, as a child sex offender, from attending his children's school activities in *Doe v. Paris Union School Dist.*, No. 05-2249, 2006 WL 44304 (C.D.Ill., 2006). See also 8:30, *Visitors to and Conduct on School Property*.

³ 720 ILCS 5/11-9.3. The statute assigns the child sex offender the "duty to remain under the direct supervision of a school official." In order to ensure this happens and to protect students, the sample policy requires the superintendent or designee to supervise a child sex offender whenever the offender is in a child's vicinity. See also 8:30, *Visitors to and Conduct on School Property*.

⁴ Aside from rumor and notoriety, there are three ways that school officials may learn that an enrolled student is a sex offender or a violent offender against youth:

1. By being informed by the student or the student's parent/guardian.
2. Through the Illinois State Police Sex Offender Registry, www.isp.state.il.us/sor. A juvenile sex offender is listed there after the juvenile becomes 17 years old and will be listed for the remaining registration period (730 ILCS 150/2). The database is updated daily and allows searching by name, city, county, zip code, compliance status, or any combination thereof.
3. By receiving notification from a law enforcement agency that a juvenile sex offender or juvenile violent offender against youth is enrolled in a school. The law enforcement agency having jurisdiction to register the juvenile must provide a copy of the offender registration form to the building principal and guidance counselor designated by the principal; the school must keep the registration form separately from the student's school records (730 ILCS 152/121(b)).

4:170175

Page 1 of 3

Criminal Background Check and/or Screen 5

The Superintendent or designee shall perform the criminal background check and/or screen required by State law or Board policy for employees; student teachers; students doing field or clinical experience other than student teaching; contractors' employees who have direct, daily contact with one or more children; and resource persons and volunteers. He or she shall take appropriate action based on the result of any criminal background check and/or screen.

Notification to Parents/Guardians

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law. 6 The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. 7 This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

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All contracts with the School District that may involve an employee or agent of the contractor having

The material concerning contractors' employees who have direct, daily contact with one or more student is in 4:60-AP3, Administrative Procedure - *Criminal History Records Check of Contractor Employees*.

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New procedure – All visitors, including parents and volunteers, entering District 64 schools must check in directly at the office by presenting a driver's license or state ID prior to receiving a visitor name badge.

If a sex offender is enrolled in a school, guidelines for managing the sex offender's presence in school should be prepared. The components will depend on the situation but generally should include asking the parent/guardian of a sex offender below the age of 17 years for permission to share the information with certain staff for the protection of both the student and other students. In addition, the guidelines should include a supervision plan providing supervision for the student during all aspects of his or her school day. Finally, the guidelines must respect the privacy of juvenile records and comply with the Ill. School Student Records Act, 105 ILCS 10/. The board attorney should be consulted.

5 See procedure 4:175-AP1, *Criminal Offender Notification Laws*; policy 5:30, *Hiring Process and Criteria*; procedure 5:30-AP2, *Investigations*; policy 6:250, *Community Resource Person and Volunteers*; and procedure 6:250-AP, *Securing and Screening Resource Persons and Volunteers*.

6 Sex Offender Community Notification Law, 730 ILCS 152/, and Murderer and Violent Offender Against Youth Community Notification Law, 730 ILCS 154/75-105. Law enforcement officials must notify school districts of the names, addresses, and offenses of registered offenders residing in their respective jurisdictions who have committed sex offenses and violent offenses against youth (730 ILCS 152/120 and 154/95). These laws are silent with regard to what, if anything, districts do with the information. The Sex Offender Community Notification Law, however, provides immunity for "any person who provides, or fails to provide, information relevant to the procedures set forth in this Law," (730 ILCS 152/130).

Naming a contact person will facilitate communication and cooperation with local law enforcement agencies. Any school official may be used as the contact person, and boards may wish to have a contact person from each building. See administrative procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening*, for implementing procedures.

7 State law requires a principal or teacher to notify the parents/guardians during school registration or parent-teacher conferences that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law, 730 ILCS 152/, ~~101 et seq./~~ In an effort to keep this policy aligned with good governance practices, the responsibility is given to the superintendent and building principal to manage. While State law allows the notification to be made during registration or parent-teacher conferences, the sample policy makes a notification mandatory just during registration to be sure that all parents/guardians are informed.

LEGAL REF.: ~~Adam Walsh Child Protection and Safety Act, P.L. 109-248.~~

~~20 ILCS 2635/, Uniform Conviction Information Act, 20 ILCS 2635/~~

~~105 ILCS 5/10-20-28, 5/21B-80, 5/10-21-9, and 128/~~

~~Physical Fitness Facility Medical Emergency Preparedness Act, 210 ILCS 74/~~

~~Ill. Vehicle Code, 625 ILCS 5/12-813-1.~~

~~Criminal Code of 2012, 720 ILCS 5/11-9.3,~~

~~Unified Code of Corrections, 730 ILCS 152/101-et seq/, Sex Offender Community Notification Law.~~

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

CROSS REF.: 5:30 (Hiring Process and Criteria), 6:~~190 (Extracurricular and Co-Curricular Activities)~~, 6:250 (Community Resource Persons and Volunteers) ~~7:220 (Bus Conduct)~~, ~~7:300 (Extracurricular Athletics)~~, 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

Educational Support Personnel

Duties and Qualifications ¹

All support staff: (1) must meet qualifications specified in job descriptions, (2) must be able to perform the essential tasks listed and/or assigned, and (3) are subject to School Board policies as they may be changed from time to time at the Board's sole discretion.

Paraprofessionals and Teacher Aides ²³

~~Paraprofessionals and teacher aides are noncertificated personnel with provide supervised instructional duties; the terms are synonymous support. Service as a paraprofessional or teacher aide requires a statement of approval issued an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE), unless the individual holds any certificate indicative of completion of at least a bachelor's degree or a provisional vocational certificate, is completing an approved clinical experience, and/or is student teaching.~~

~~A paraprofessional or teacher aide in a targeted assistance program that is paid with federal funds under Title I, Part A, or in a school wide program that is supported with such funds, shall hold a "statement of approval," issued by the ISBE, for this purpose.~~ ⁴

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. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

~~²⁻²³ Ill.Admin.Code §25.510; ²³ Ill.Admin.Code §1.630(b)(2). **Important:** Speech Language paraprofessional approval phase out. After the 2013-2014 school year, districts and special education joint agreements will no longer be able to seek approval from ISBE to use speech language paraprofessionals to provide speech language services when they are unable to hire certified speech language pathologists. Educators currently serving as speech language paraprofessionals who wish to continue providing speech language services after the 2013-2014 school year will need to obtain certification as a certified speech language pathologist (23 Ill.Admin.Code §§25.45 and 25.252), speech language pathologist intern (23 Ill.Admin.Code §25.255), or speech language pathology assistant (105 ILCS 5/14-6.03). For more information, see ISBE's Weekly Message from Feb. 27, 2012, at: www.isbe.net/board/archivemessages/2012/message_022712.pdf.~~

~~³ Educator licensure replaced the previous system of certification on 7-1-2013. All Illinois teaching, administrative, and school service personnel certificates were converted to a corresponding license. Except as provided in ISBE rule §1.630, all new applicants for a paraprofessional credential must hold an educator license with stipulations endorsed for a paraprofessional educator (23 Ill.Admin.Code §§1.630 and 25.510). See ISBE's explanation at: www.isbe.net/licensure/html/paraprofessional.htm.~~

~~**Important:** After the 2013-2014 school year, ISBE will no longer approve the use of speech-language paraprofessionals. Educators who served as speech-language paraprofessionals who wish to continue providing speech-language services after the 2013-2014 school year must obtain a support personnel endorsement for a non-teaching, speech-language pathologist (23 Ill.Admin.Code §25.252) or qualify as a speech-language pathologist intern (23 Ill.Admin.Code §25.255), or speech-language pathology assistant (105 ILCS 5/14-6.03).~~

~~A district may continue to use the term *teacher aide* to describe licensed personnel performing instructional support activities. In that situation, use the following alternative for the subhead and first paragraph:~~

~~Paraprofessionals and Licensed Teacher Aides~~

~~Paraprofessionals and licensed teacher aides provide supervised instructional support. Personnel performing instructional support activities must hold a current educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE).~~

~~If a district uses teacher aides to perform non-instructional support activities, *unlicensed teacher aides* may be inserted in the subhead for next section as follows: "Noncertificated and Unlicensed Personnel (Including Unlicensed Teacher Aides) Working with Students and Performing Non-Instructional Duties."~~

~~⁴⁻²³ Ill.Admin.Code §25.510(d).~~

Individuals with only non-instructional duties (e.g., providing technical support for computers, providing personal care services, or performing clerical duties) are not paraprofessionals ~~or teacher aides~~, and the requirements in this section do not apply. In addition, individuals ~~who are~~ completing their clinical experiences and/or student teaching do not need to comply with this section, provided ~~they~~ their service otherwise qualify for instructional duties undercomplies with ISBE rules. 5

Noncertificated and Unlicensed Personnel Working with Students and Performing Non-Instructional Duties

Noncertificated and unlicensed personnel performing non-instructional duties may ^{NOT} be used:

1. For supervising study halls, long-distance teaching reception areas used incident to instructional programs transmitted by electronic media (e.g., computers, video, and audio) detention and discipline areas, and school-sponsored extracurricular activities; 6 INSERT A
2. As supervisors, chaperones, or sponsors for non-academic school activities; ~~or 74~~
3. ~~For~~ non-teaching duties not requiring instructional judgment or student evaluation. ⁸

Nothing in this policy prevents a noncertificated person from serving as a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval. 9

Coaches and Athletic Trainers

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership. 10 Regardless of whether the athletic activity is governed by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automated External Defibrillator user according to rules adopted by the Illinois Department of Public Health. 11 Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers

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

5 105 ILCS 5/10-22.34(d); 23 Ill.Admin.Code §§1.630(f), and 25.620 (student teaching). This paragraph is optional and maybe deleted if the board desires a streamlined policy.

6 105 ILCS 5/10-22.34(a)(2).

7 105 ILCS 5/10-22.34a-; 23 Ill.Admin.Code §1.630(a).

8 105 ILCS 5/10-22.34(a)(1); 23 Ill.Admin.Code §1.630(a).

9 105 ILCS 5/10-22.34b, last paragraph; ~~23 Ill.Admin.Code §1.630(d)~~. Noncertificated personnel may be used to provide specialized instruction in a field that an individual is particularly qualified by reason of specialized knowledge or skill (23 Ill.Admin.Code §1.630(g)-e)(3)(C). Districts that frequently use noncertificated individuals to provide such instruction may consider adding the following optional sentence:

When appropriate, the Superintendent may seek approval from the responsible Regional Superintendent for a noncertificated individual to provide specialized instruction, that is not otherwise readily available in the school environment, in the field that the individual is particularly qualified by reason of specialized knowledge or skill.

10 A district should consult the handbooks and by-laws of the appropriate associations, e.g., the Illinois High School Association, the Southern Illinois Junior High School Athletic Association, and the Illinois Elementary School Association.

An optional sentence follows:

The coach for an extracurricular athletic activity sponsored or sanctioned by the Illinois High School Association (IHSA) at or above the ninth grade level must have completed the IHSA's educational program and competency testing on preventing abuse of performance-enhancing substances.

~~Until July 1, 2011, 105 ILCS 25/2(e) required this training for coaches. As of the publication date for this material, IHSA did not include this requirement in its by-laws Qualification for Coaches, sub-sections 2.071-2.079 or its annual Administrative Procedures, Guidelines and Policies document. Both are available at: www.ihsa.org/AbouttheIHSA/ConstitutionBylawsPolicies.aspx, provided the program is available.~~

11 Optional and may be amended. The first requirement identifies a basic competency, and the second two requirements are intended to ensure coaches are trained emergency responders. For AED training program requirements, see Automated External Defibrillator Act (410 ILCS 4/15) and Automated External Defibrillator Code (77 Ill.Admin.Code Part 525).

, parents may serve as chaperones on field trips.

3. However they may prefer

Practice Act, be an athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law. ¹²

Bus Drivers

All school bus drivers must have a valid school bus driver permit. ¹³ The Superintendent or designee shall inform the Illinois Secretary of State, within 30 days of being informed by a school bus driver, that the bus driver permit holder has been called to active duty. ¹⁴ New bus drivers and bus drivers who are returning from a lapse in their employment are subject to the requirements contained in Board policy 5:30, *Hiring Process and Criteria* and Board policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

LEGAL REF.: No Child Left Behind Act of 2001, 20 U.S.C. §6319(c).
34 C.F.R. §§200.58 and 200.59.
105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.
625 ILCS 5/6-104 and 5/6-106.1.
23 Ill.Admin.Code §§1.630 and 25.510, ~~25.520~~.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:35 (Compliance with the Fair Labor Standards Act), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Resource Persons and Volunteers)

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

¹² 225 ILCS 5/3 and 5/4.

¹³ The regional superintendent is authorized to conduct school bus driver instruction courses and investigate whether persons hired to operate school buses have valid school bus driver permits (105 ILCS 5/3-14.23).

School bus driver permits are issued by the Secretary of State (625 ILCS 5/6-106.1). Districts must conduct a pre-employment interview with bus driver candidates, distribute bus driver applications and medical forms, and submit the applicant's fingerprint cards to the State Police for criminal background investigations. Districts must also certify in writing to the Secretary of State that all pre-employment conditions were completed, including an Illinois-specific criminal background investigation through the State Police and the submission of necessary fingerprints to the Federal Bureau of Investigation for criminal history information (*Id.*). The applicant presents this certification to the Secretary of State when submitting the school bus driver permit application (*Id.*).

A school bus driver operating a school bus at the time of an accident is deemed by the implied consent law to agree to submit to tests at the direction of a law enforcement officer of the driver's breath, blood, or urine to determine the presence of alcohol, or other drugs, in the person's system (625 ILCS 5/6-516).

Anyone driving a bus chartered to transport students to or from interscholastic athletic or interscholastic or school-sponsored activities must have a valid school bus driver permit; this does not apply to any driver employed by a public transportation provider when the bus is on a regularly scheduled route for transporting other fare-paying passengers (625 ILCS 5/6-104(d-5)).

¹⁴ This sentence is optional, but the notification is required by 625 ILCS 5/6-106.1(h). ¹⁵ *Active duty* is defined in the statute as active duty pursuant to an executive order of the U.S. President, an act of the Congress, or an order of the Governor. Upon notification, the Secretary of State will characterize the permit as inactive until a permit holder renews the permit pursuant to 625 ILCS 5/6-106.1(bh).

Instruction

Home and Hospital Instruction ¹

A student who is absent from school, or whose physician anticipates that the student will be absent from school, because of a medical condition may be eligible for instruction in the student's home or hospital. ² Eligibility shall be determined by State law and the Illinois State Board of Education ~~rules~~ governing (1) the continuum of placement options for students who have been identified for special education services or (2) the home and hospital instruction provisions for students who have not been identified for special education services. ³ Appropriate educational services from qualified staff will begin no later than 5 school days after receiving a physician's written statement, ⁴ Instructional or related services for a student receiving special education services will be determined by the student's individualized education program.

A student who is unable to attend school because of pregnancy will be provided home instruction, correspondence courses, or other courses of instruction (1) before the birth of the child when the student's physician indicates, in writing, that she is medically unable to attend regular classroom instruction, and (2) for up to 3 months after the child's birth or a miscarriage. ⁵

Periodic conferences will be held between appropriate school personnel, parent(s)/guardian(s), and hospital staff to coordinate course work and facilitate a student's return to school.

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Appropriate education services from qualified staff will begin no later than five school days after receiving documentation from that student's physician; such documentation should summarize the relevant condition and include suggested accommodations that would help the student during the alternative instruction period.

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. The following State laws and ISBE rules govern homebound and hospital instruction: 105 ILCS 5/14-13.01, ~~amended by P.A. 96-257~~ (reimbursement for home and hospital instruction along with factors to qualify for it); 105 ILCS 5/18-4.5 (governs reimbursement for home and hospital instruction); 105 ILCS 5/18-8.05 (an instructional session of one clock hour may be counted as ½ day of attendance, however, a student must receive 4 or more instructional clock hours to count as a full day of attendance); 23 Ill.Admin.Code §226.300 (home/hospital service for a special education student); 23 Ill.Admin.Code §1.520; ISBE General State Aid Claim form.

² 105 ILCS 5/14-13.01, amended by P.A. 97-123, redefines the standards for determining when a student is eligible to receive home or hospital instruction. A student now qualifies when a physician *anticipates* a student's absence due to a medical condition. The Act also defined "ongoing intermittent basis" to mean a medical condition of such a nature and severity that it is anticipated that the student will be absent from school due to the medical condition for periods of at least 2 days at a time multiple times during the school year totaling at least 10 days or more of absences.

³ 105 ILCS 5/14-13.01(a), ~~amended by P.A. 96-257~~; 23 Ill.Admin.Code §226.300 (students qualifying for special education services), and 23 Ill.Admin.Code §~~226.300~~1.520 (students not qualifying for special education services) require, at a minimum, all students to provide a written statement from a physician licensed to practice medicine in all of its branches stating the existence of a medical condition, the impact on the student's ability to participate in education, and the anticipated duration or nature of the child's absence from school. A student with health needs may be protected by the Individuals with Disabilities Education Act (20 U.S.C. §1401(3) or Section 504 of the Rehabilitation Act (29 U.S.C. §794(a)).

⁴ There is no longer a requirement that a student be absent from school for a minimum number of days before he or she qualifies for home or hospital instruction (105 ILCS 5/14-13.01(a), amended by P.A. 97-123). The Act now allows schools to begin home or hospital instruction upon receipt of a physician's written statement but requires it to begin no later than 5 school days after receipt of the physician's written statement.

Both 23 Ill.Admin.Code §§226.300(g) also requires and 1.520(f) require home or hospital instructors to meet the requirements listed in 23 Ill.Admin.Code §1.610, i.e., proper certification as required by the amendments to the School Code in P.A. 97-607 and 23 Ill.Admin.Code §25.464.

⁵ 105 ILCS 5/10-22.6a. Number (2) does not require a physician's written statement.

LEGAL REF.: 105 ILCS 5/10-22.6a, 5/14-13.01, 5/18-4.5, and 5/18-8.05.
23 Ill.Admin.Code §§1.520, 1.610, and 226.300.

CROSS REF.: 6:120 (Education of Children with Disabilities), 7:10 (Equal Educational Opportunity), 7:280 (Communicable and Chronic Infectious Disease)

OK

Students

Student Support Services 1

The following student support services may be provided by the School District: 2

1. Health services supervised by a qualified nurse. 3 The Superintendent or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease, **including head lice (Pediculus Humanus Capitis).**
2. Educational and psychological testing services and the services of a psychologist as needed. In all cases, written permission to administer a psychological ^{examination or} examination must be obtained from a student's parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, as well as to the appropriate professional staff.
3. The services of a social worker. A student's parent(s)/guardian(s) must consent to regular or continuing services from a social worker.
4. Guidance and counseling services.

including all relevant scores

The Superintendent or designee shall develop protocols for responding to students with social, emotional, or mental health problems that impact learning ability. 4 The District, however, assumes no liability for preventing, identifying, or treating such problems.

This policy shall be implemented in a manner consistent with State and federal laws, including the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

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.

2 All districts are required to conduct a comprehensive needs assessment to determine the scope of student personnel services needs (23 Ill.Admin.Code §1.420(q)).

105 ILCS 5/2-3.142 created the Ensuring Success in School Task Force. This task force developed recommendations for policies, procedures, and protocols for school boards to adopt to address the education and related needs of students who are parents, expectant parents, or victims of domestic or sexual violence. The intent of the recommendations is to ensure these student populations' ability to: (1) stay in school, (2) stay safe at school and (3) successfully complete their education. A copy of this report is available at: www.povertylaw.org/advocacy/women-and-family/essa-task-force/essa-task-force-report. School boards and superintendents may want to create their own study groups to discuss implementation of the task force's recommendations for policies, procedures and protocols.

3 Any nurse first employed on or after 7-1-76, whose duties require teaching or the exercise of instructional judgment or educational evaluation of students, must be certified. A non-certified registered professional nurse may perform nursing services (105 ILCS 5/10-22.23 and 5/21-25; 23 Ill.Admin.Code §1.760).

4 Required by the Children's Mental Health Act of 2003, 405 ILCS 49/.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/
Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/.

CROSS REF.: 6:65 (Student Social and Emotional Development), 6:270 (Guidance and
Counseling Program), 7:100 (Health, Eye, and Dental Examinations;
Immunizations; and Exclusion of Students), 7:280 (Communicable and Chronic
Infectious Diseases), 7:340 (Student Records)

TO: District 64 Board of Education
FROM: Dr. Laurie Heinz, Superintendent
DATE: August 11, 2014
RE: Summary of Board of Education Advance

Overview

On July 11 and 12, the District 64 Board of Education and I participated in a two-day Board Advance to begin to build positive and productive working relationships amongst our team, develop mutual understanding of our roles and responsibilities, identify effective ways in which to communicate openly and honestly with one another, and agree upon an evaluation process and instrument.

Board Appointment

On July 11, after an extensive interview process, the District 64 BOE appointed a new Board member, Robert Johnson. Additionally, they named a new Board secretary, Vicki Lee.

Key Topics Discussed

CEC System Assessment Overview

Perry Soldwedel from the Consortium for Educational Change (CEC) provided the Board of Education with an in-depth session on the Overview System Assessment process. The system assessment provides districts with an opportunity to benchmark their district against effective practices of high performing districts. Effective practices are grounded in the Baldrige Performance Excellence Criteria and translated into the Professional Learning Community criteria for educators. A site team will spend three days in District 64 speaking to staff, administrators, members of the Board of Education, and parents about collaboration, learning, and results.

Superintendent Transition

Dr. Heinz shared her transition work and central themes that began to emerge during her listening and learning sessions with administrators, staff, and some of our community partners.

Strategic Planning: 1-Year Road Map

Dr. Heinz presented the BOE with a draft 1-year road map that will guide the work the staff and administration will prioritize during the 2014-15 school year. The road map identified six strategic objectives:

1. Outstanding Student Growth
2. 21st Century Learning for all Students
3. Highly Qualified Staff
4. Safe Learning Environment
5. Stable Financial Position
6. Effective Process and Processes

Within each objective, challenges, related key goals and action plans were identified.

Objective 1: Outstanding Student Growth

Administration will collaborate with an NWEA consultant to review status and growth targets in both reading and mathematics. Goals will be reviewed and a determination will be made regarding how to set status and growth goals for the 2014-15 and beyond. Educational Ends statements, targets, and common formative assessments will be revisited. The District will continue its focus on using high impact instruction strategies to support teaching and learning.

Objective 2: 21st Century Learning for All Students

This objective will focus on providing standards-based curricular programs and services to all students while integrating the use of technology across the curriculum. Teachers will continue to work on refining their delivery of the newly aligned Common Core Standards curriculum and instructional resource materials in reading and mathematics. They will participate in training to better understand the Next Generation Science Standards and what impact they will have on our Science curriculum revision work. Teachers will continue to enroll in formative assessment and High Impact Instructional Strategies training with Dr. Jim Knight and apply information learned during this intensive training to their work with students.

Objective 3: Highly Qualified Staff

This objective will focus on recruiting and retaining highly qualified staff in a competitive job market. We will explore research-based screening protocols and determine if we should move in that direction as a District. We will work collaboratively with the PREA Teacher Evaluation Committee to revise our teacher evaluation document. We will continue to refine our teacher mentoring program and expand mentoring to include opportunities for administrators to be formally mentored as they enter District 64.

Objective 4: Safe and Effective Learning Environment

This objective focuses our attention on continuing to layer in additional security measures to ensure our facilities are safe and effective 21st century learning environments. We will discuss the need for a Master Facility Study, monitor phase 1 and 2 of construction work across the District, and conduct a 10-Year Life Safety review.

Objective 5: Stable Financial Position

This strategic objective places a strong emphasis on continuing to maximize revenues and manage expenditures while we continue to provide strong programs and support services to our students. The Board is committed to extending the need for a referendum to the 2020-21 school year.

Objective 6: Effective Partnerships and Processes

This strategic objective focuses on the importance of cultivating partnerships throughout the community and working collaboratively with a continuous improvement mindset.

We will conduct an Overview System Assessment of the District this year and use data collect as part of the Strategic Planning work that will begin in 2015. We will continue to look for ways to effectively communicate with all stakeholder groups.

Superintendent Evaluation Tool Development

Using a document developed by the Illinois Association of School Boards (IASB), a draft Superintendent Evaluation Tool was presented to the BOE for consideration. The assessment instrument focused on seven key categories that include: Vision, Learning and Instruction, Organization and Facilities, Ethics, Social and Political Environment, Policy and Governance, and Communication and Community Relations. Identifying metrics for categories where metrics are appropriate is underway.

Board of Education Governance Workshop

Barb Toney from the Illinois Association of School Boards (IASB) conducted a BOE Self-Evaluation and Governance workshop that focused on understanding roles and responsibilities of the Board of Education and Superintendent, communication expectations, and Governance. The BOE reaffirmed their Operating Principles.

To: Board of Education

From: Mary Jane Warden, Director of Innovation and Instructional Technology

Date: August 11, 2014

Re: Technology Services and 21st Century Learning Plan (1:1 Chromebook) Update

Chrome-apalooza

In every district, the first year of implementation of a 1:1 initiative is both exhilarating and challenging! Six weeks into my tenure here in District 64 and we are well underway with our 1:1 Chromebook rollout. Within 3 weeks, the 3000+ devices were enrolled, configured, and organized at each of the schools. The Securly unified filtering solution has been implemented and the Chromebook Management Console has been fine-tuned for proper management of all Chromebook devices. Instructional resources -- such as Hapara Teacher Dashboard, Class Dojo, Edmodo, WeVideo to name a few -- are all on deck to be incorporated into the scheme.

ChromeExplore64 Events

ChromeExplore64 pickup nights at the middle school are well planned and ready for execution. Staff and spaces are being readied for the big events. Communications and reminders have gone out to students and parents. In a “flipped classroom” approach, the Instructional Technology Coaches produced an introductory video that establishes foundational expectations about care and use of the Chromebooks along with important concepts about digital citizenship. Students are to watch the video and take an online quiz to check for understanding. Students and parents must also review and sign a Chromebook pledge, expressing commitment to the utilization of the Chromebook for educational purposes.

Continuous Improvement: Jumpstarts and REACH Workshops

As the devices are being deployed, a parallel track is the professional development of teachers. Throughout the summer weeks, 1:1 Jumpstart and REACH workshops have been conducted by our Instructional Technology Coaches providing mindspace and timespace to teachers to ready them for a 1:1 learning environment. Teachers are putting the re-imaging of their classrooms into full effect. They are retooling lessons, tweaking projects, and redesigning the learning culture now that students are empowered with the Chromebooks as a tool for their learning. In addition to 1:1 initiative-specific workshops, the ITC and curriculum specialists have partnered to support teachers with curriculum design in specific subject areas across grade levels. The professional conversations among educators have been invigorating and energizing.

Handbooks, Expectations, and Protocols

Just as we have various systems in our human bodies that interact and interplay with one another for the body to fully function, so too do we have multiple systems interacting in order to sustain our learning ecosystem. I along with principals and ITCs are working to design a quick reference 1:1 learning student-parent handbook which will communicate policies, expectations and protocols in our learning ecosystem. This handbook will be introduced through the classrooms at the start of school.

Looking Down the Road

During the course of this 1:1 evolution, District 64 will continue to develop the various dimensions of our learning ecosystem. We will be finalizing the design of a 1:1 assessment plan and bring that before the Board for feedback and review in the next month. We are also in development of a community feedback channel through our new website CMS in order to get snapshots of what learning is like at home with the Chromebooks and Google Apps for Education. Our vision is to have the flow of learning continuous -- an anytime anywhere capacity for lifelong learning.

While we are making significant inroads, it is important for all of us to remember that change is a process - it simply does not happen overnight. We are steadily moving forward and making progress. We appreciate the Board of Education's continued support in our efforts.

Consent Agenda

ACTION ITEM 14-8-1

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda of August 11, 2014, which includes the Personnel Report; Bills July 28, 2014; Bills, Payroll, and Benefits August 11, 2014; Intergovernmental Agreement Between the Governing Board of Niles Township District for Special Education 807 and the Board of Education of Park Ridge-Niles Community School District 64 for the Provision of Certain Special Education Services, Approval of Roofing Change Orders and Acceptance of Donations.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

Personnel Report
August 11, 2014

Maribeth Aimers	Employ as 10-month School Secretary at Carpenter School effective August 12, 2014 - \$18.65.
Katerina Baranovska	Employ as Kindergarten Teacher at Jefferson School effective August 25, 2014 - \$54,783.00.
Jessica Gonzalez	Employ as Social Studies Teacher at Emerson School effective August 25, 2014 - \$54,783.00.
Emily Lech	Employ as Assistant Principal (220 days - \$80,000.00) for Carpenter/Franklin Schools beginning August 12, 2014, (214 days) pro-rated \$77,818.18.
Jocelyn Ortiz	Employ as 12-Month School Psychologist Intern at Emerson School effective August 25, 2014 - \$16,000.00.
Stacy Shub	Employ as School Technologist at Roosevelt School effective August 4, 2014 - \$32,640.51.
Amanda Vanderwaal	Employ as 10-Month School Psychologist Intern at Roosevelt School effective August 25, 2014 - \$13,333.33.
Mary Satchwell	Change in Assignment from (.50) Psychologist at Jefferson School to (.60) Psychologist at Jefferson School effective August 25, 2014 - \$49,925.40.
Diane Kucharski	Change in Assignment from full-time TPI Teacher at Washington School to .80 TPI Teacher at Washington School and .20 Curriculum Specialist effective August 25, 2014.
Katie Rohn	Change in Assignment from Special Education Teacher at Emerson School to 4th Grade Teacher at Washington School effective August 25, 2014.
Brandi Medal	Rehire as (.90) Science-Health Teacher at Emerson School effective August 25, 2014 - \$44,465.00.
Debbie Graziano	Change in Assignment from 2nd Grade Teacher at Carpenter School to C of C Teacher at Roosevelt and Washington Schools effective August 25, 2014.
Monica Bridges	Resign as 10-month Secretary at Carpenter School effective July 14, 2014.
Roxann Giovannini	Resign as Lunch Program Head Supervisor at Washington School effective July 16, 2014.

Personnel Report
August 11, 2014

Michael Johnson	Resign as Technology Coach Teacher at Field School effective July 23, 2014.
Jennifer Myer	Resign as Special Needs Assistant at Carpenter School effective July 30, 2014.
Martha Rode	Resign as Special Education Facilitator at Jefferson School effective July 16, 2014.
Brad Perry	Employ as Summer Technologist Help effective 6/21/14 - Jefferson School.

APPROVAL OF BILLS

The following bills are presented for approval:

Bills

10 - Education Fund -----	\$ 955,415.04
20 - Operations and Maintenance Fund -----	\$ 94,280.92
30 - Debt Services -----	\$ 200.00
40 - Transportation Fund -----	\$ 8,787.00
50 - Retirement (IMRF/SS/MEDICARE) -----	\$ -
60 - Capital Projects -----	\$ 25,858.15
80 - Tort Immunity Fund -----	\$ 4,686.65
90 - Fire Prevention and Safety Fund -----	\$ -

Checks Numbered: 118171 - 118296

Total: \$ 1,089,227.76

APPROVAL OF BILLS AND PAYROLL

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

Bills

10 - Education Fund -----	\$ 705,964.05
20 - Operations and Maintenance Fund -----	\$ 103,799.57
30 - Debt Services -----	\$ -
40 - Transportation Fund -----	\$ 9,505.00
50- Retirement (IMRF/SS/MEDICARE)-----	\$ -
60 - Capital Projects -----	\$ 106,631.28
80 - Tort Immunity Fund -----	\$ 3,750.00
90 - Fire Prevention and Safety Fund -----	\$ -

Checks Numbered: 118324 - 118442

Total: \$ 929,649.90

Payroll and Benefits for Month of July, 2014

10 - Education Fund -----	\$ 777,746.41
20 - Operations and Maintenance Fund -----	\$ 353,572.37
40 - Transportation Fund -----	\$ -
50 - IMRF/FICA Fund -----	\$ 70,168.73
80 - Tort Immunity Fund -----	\$ -

Checks Numbered: 10650 - 10682

Direct Deposit: 900059705 - 900060287

Total: \$ 1,201,487.51

This report can be viewed
on the District 64 website
www.d64.org on the
Financial Data-Current
link.



COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64 PARK RIDGE-NILES

164 S. Prospect Avenue Park Ridge, IL 60068-4079 (847) 318-4300 FAX (847) 318-4351 www.d64.org

To: Dr. Laurie Heinz
 Board of Education

From: Jane Boyd
 Director of Pupil Services/Special Education

Date: July 29, 2014

Re: Intergovernmental Agreement between the Governing Board of
 Niles Township District for Special Education 807 and the Board of
 Education of Park Ridge-Niles Community Consolidated School
 District 64 for the Provision of Certain Special Education Services

District 64 has placed a student with significant disabilities at Molloy School in Morton Grove run by the Niles Township Special Education Cooperative. The Individualized Educational Program (IEP) team determined this placement was appropriate to meet this student's needs. This Agreement is in regard to the cost of the services. The tuition for the 2014-15 school year program is \$ 62,235.

To: Board of Education
Dr. Laurie Heinz, Superintendent

From: Scott Mackall, Director of Facility Management

Date: August 11, 2014

Subject: Roofing Change Orders

Sullivan Roofing Inc. contacted me by phone on Monday, August 4, 2014 concerning some unforeseen conditions at Emerson and Franklin School as well as some additional maintenance at Jefferson School. After review of the unforeseen conditions, which were exposed after the roofs were opened, it became clear that these issues needed to be addressed. Pictures are attached so you can better understand the condition of the roof. Also included are the proposals.

An example of some of the additional work includes removal of 550 linear ft of shingle, felt and plywood 24" wide and replacement of the plywood and installation of the felt and shingles.

Also attached are the proposals to these projects
Thank you for consideration in this matter, it was imperative to move forward as the building is only temporally sealed.

The change order amount is \$42,674.00



Franklin Roof





60 East State Parkway
Schaumburg, Illinois 60173

847.908.1000 t
847.908.1099 f

8-4-14
Page 1 of 3

Park Ridge-Niles School District 64
164 S Prospect Ave
Park Ridge, IL 60068

Re: Emerson Middle School – 8101 N Cumberland Ave Niles, IL 60714

Once the existing ridge vent was removed today we discovered that the top layer of vented nail base was in very bad condition. The damage on each side of the crest varied from 6” to 18” in from the peak to the gutters. We opened up another side and found the same conditions.

1. We propose to remove the singles/felt along all four hips and along the one ridge in that exposing the damaged nail base.
2. We will then chalk a line and removed approx. 16” to 24” each side of the ridge/hip.
3. The damaged areas will be cut out and the first layer of nail base board substrate will remain in place assuming no damage is found. .
4. A bead of construction adhesive will be applied over the existing nail base.
5. We will then cut to fit and screw the new 3” nail base assembly to the 1st layer of nail base.
6. We will then cover the exposed plywood with Grace Ice and Water.
7. New shingles will be installed over the prepared substrate and extended to the crest of the detail.
8. All generated debris will be disposed of in the dumpster that we will place onsite for the duration of the project.

Our cost for the extra work proposed.....\$26,500.00

Note: The new ridge vent assembly will then be installed as originally proposed.

The scope of this proposal is strictly limited to the items listed above.

Terms

This will be paid 100% (no retention) within 30 days of completion.

Contractors Repair Warranty:

Contractor shall warrant all its work and to make good, without additional cost, any and all defects due to imperfect workmanship or materials for a period of **one (1)** year.

DISCLAIMERS:

1. **IMPLIED WARRANTY OF MERCHANTABILITY. CONTRACTOR HEREBY DISCLAIMS ANY IMPLIED WARRANTY OF MERCHANTABILITY WITH RESPECT TO THE SCOPE OF WORK OR THE MATERIALS INCORPORATED INTO THE SCOPE OF WORK, AND OWNER HEREBY WAIVES ANY SUCH IMPLIED WARRANTY OF MERCHANTABILITY.**



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Schaumburg, Illinois 60173

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Page 2 of 3

- 2. **IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE.**
CONTRACTOR HEREBY DISCLAIMS ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO THE SCOPE OF WORK OR THE MATERIALS INCORPORATED INTO THE SCOPE OF WORK, AND OWNER HEREBY WAIVES ANY SUCH IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE.

- 3. **CONSEQUENTIAL DAMAGES.** **THE PARTIES ACKNOWLEDGE THAT IT WOULD NOT BE UNCONSCIONABLE UNDER THE COMMERCIAL CIRCUMSTANCES OF THIS AGREEMENT TO EXCLUDE ANY AWARD OF CONSEQUENTIAL DAMAGES TO OWNER BASED UPON DEFECTIVE WORKMANSHIP OR MATERIALS. THE PARTIES AGREE THAT CONSEQUENTIAL DAMAGES ARE ENTIRELY EXCLUDED FROM ANY CAUSE OF ACTION ARISING OUT OF ANY WORKMANSHIP OR MATERIALS PROVIDED BY CONTRACTOR PURSUANT TO THIS AGREEMENT.**

Entire Agreement:

This Agreement is solely for the benefit of the signatories hereto and represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations or agreements, either written or oral.

Miscellaneous:

If Contractor brings legal action against Owner to collect any amounts due pursuant to this Agreement, then Owner agrees to pay to Contractor all of Contractor's cost of collection, which shall include but not be limited to reasonable attorney fees, paralegal fees and court costs.

All amounts due from Owner to Contractor that are not timely paid shall bear interest at the rate of eighteen percent (18%) per annum.

This Agreement shall be subject to and governed by the laws of the State of Illinois. Owner submits to personal jurisdiction within the State of Illinois. The parties agree that the Circuit Court of Cook County, Illinois shall be an appropriate venue for any and all litigation that may arise pertaining to this Agreement.

Owner and Contractor hereby waive trial by jury in any action, proceeding, or counterclaim brought by either of the parties to this Agreement against the other on any matters whatsoever arising out of or in any way connected with this Agreement.



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Page 3 of 3

Bid Excludes: Removal/replacement of 1st layer of nail base, tectum repair, interior painting, interior protection, mechanical, plumbing, electrical, masonry, interior repairs, interior protection, overtime/weekend, new sheet metal, bid bonds, permits, inspection fees, taxes, and any other work not described above.

The following are unforeseen cost related to extra work approved while onsite:

Labor charge for additional work conducted by a union roofer is \$97.00 /hour + materials
Labor charge for additional work conducted by a union sheet metal worker is \$124.00 /hour + materials
Crane is invoiced at \$150.00 per hour (includes crane and operator) does not include any special permit fees

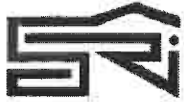
Proposed by:
Sullivan Roofing, Inc.

Accepted by: _____
Signature Date

Printed Name

Tyler Amick
Director of Repair and Special Services

Approved Change Order Vaule: _____



60 East State Parkway
Schaumburg, Illinois 60173

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847.908.1099 f

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Page 1 of 2

Park Ridge-Niles School District 64
164 S Prospect Ave
Park Ridge, IL 60068

Re: Franklin School – 2401 Manor Lane Park Ridge, IL 60068

After removing the gravel today we found that the two valleys of this roof section are very soft. We conducted a few test cuts to investigate the conditions and found that the perlite insulation in these valleys are not only wet they are crushed.

1. We propose to cut out a total 1300 sqft of roofing/insulation down to the deck in the two valleys.
2. Mechanically attached a 1/2" recovery board and 4" ISO over the exposed wood deck.
3. We will then install stall a new modified base sheet over the new cover board.
4. The generated debris will be removed and disposed of properly.

Our cost for this extra unforeseen scope is.....\$13,879.00

Note: Base bid scope to over lay this roof section with new white granulated will be conducted as part of the base bid.

The scope of this proposal is strictly limited to the items listed above.

Terms

This will be paid 100% (no retention) within 30 days of completion.

Contractors Repair Warranty:

Contractor shall warrant all its work and to make good, without additional cost, any and all defects due to imperfect workmanship or materials for a period of **one (1) year**.

DISCLAIMERS:

1. **IMPLIED WARRANTY OF MERCHANTABILITY.** CONTRACTOR HEREBY DISCLAIMS ANY IMPLIED WARRANTY OF MERCHANTABILITY WITH RESPECT TO THE SCOPE OF WORK OR THE MATERIALS INCORPORATED INTO THE SCOPE OF WORK, AND OWNER HEREBY WAIVES ANY SUCH IMPLIED WARRANTY OF MERCHANTABILITY.
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60 East State Parkway
Schaumburg, Illinois 60173

847.908.1000 t
847.908.1099 f

8-4-14

Page 2 of 2

Entire Agreement:

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Owner and Contractor hereby waive trial by jury in any action, proceeding, or counterclaim brought by either of the parties to this Agreement against the other on any matters whatsoever arising out of or in any way connected with this Agreement.

Bid Excludes: Decking, mechanical, plumbing, electrical, masonry, interior repairs, interior protection, overtime/weekend, new sheet metal, bid bonds, permits, inspection fees, taxes, and any other work not described above.

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Labor charge for additional work conducted by a union sheet metal worker is \$124.00 /hour + materials

Crane is invoiced at \$150.00 per hour (includes crane and operator) does not include any special permit fees

Proposed by:
Sullivan Roofing, Inc.

Accepted by: _____
Signature Date

Printed Name

Tyler Amick
Director of Repair and Special Services

Approved Change Order Vaule: _____



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Schaumburg, Illinois 60173

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8-4-14

Page 1 of 2

Park Ridge-Niles School District 64
164 S Prospect Ave
Park Ridge, IL 60068

Re: *Jefferson School – 8200 Greendale Ave Niles, IL 60714*

Option 1 - Allocate two men for a total of 16hrs to return and repair isolated holes and voids in the seams that we had isolated and temporarily covered last week.

Our cost for option one allocation is.....\$2,248.00

Option 2 - Allocate two men for a total of 64hrs to return and repair isolated holes, reinforce all curb corners, and repair isolated open seams with-in the approved allowance.

Our cost for option two preventive repairs..... \$8,500.00

The scope of this proposal is strictly limited to the items listed above.

Terms

This will be paid 100% (no retention) within 30 days of completion.

Contractors Repair Warranty:

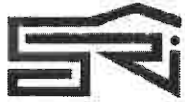
Contractor shall warrant all its work and to make good, without additional cost, any and all defects due to imperfect workmanship or materials for a period of **one (1) year**.

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Entire Agreement:

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Schaumburg, Illinois 60173

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8-4-14

Page 2 of 2

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Owner and Contractor hereby waive trial by jury in any action, proceeding, or counterclaim brought by either of the parties to this Agreement against the other on any matters whatsoever arising out of or in any way connected with this Agreement.

Bid Excludes: Decking, new roof insulation, mechanical, plumbing, mechanical, electrical, masonry, interior repairs, interior protection, overtime/weekend, new sheet metal, bid bonds, permits, inspection fees, taxes, and any other work not described above.

The following are unforeseen cost related to extra work approved while onsite:

Labor charge for additional work conducted by a union roofer is \$97.00 /hour + materials

Labor charge for additional work conducted by a union sheet metal worker is \$124.00 /hour + materials

Crane is invoiced at \$150.00 per hour (includes crane and operator) does not include any special permit fees

Proposed by:
Sullivan Roofing, Inc.

Accepted by: _____
Signature Date

Tyler Amick
Director of Repair and Special Services

Printed Name

Approved Change Order Vaule: _____

Acceptance of Notepads

District 64 has received a donation of 250 "Writer Pusheen" and 424 "Pusheen the Cat" notepads from the Pusheen Corporation in Park Ridge. We want to thank the Pusheen Corporation for their contribution to School District 64.

Acceptance of Donation Check

We have received a check in the amount of \$150 from BP America Inc. to support our efforts. The BP America Inc. considers contributions to organizations recommended by BP employees. We also thank Stacy Debrauwere, a District 64 parent and BP employee, who recommended District 64 for this contribution.

Approval of Minutes

ACTION ITEM 14-08-2

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the minutes from the Closed Session Meetings on July 12 and July 7, 2014 and Special Board Meetings on July 11 and July 7, 2014.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

**BOARD OF EDUCATION
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64
Minutes of the Special Board of Education Meeting held at 5:30 p.m.
July 11, 2014
Emerson Middle School – LRC
8101 N. Cumberland Avenue
Niles, IL 60714**

Board President Anthony Borrelli called the meeting to order at 5:38 p.m. He called upon Board member John Heyde to act as secretary *pro tempore* until the election of a new secretary, which was agreed by consensus. Other Board members in attendance were Dathan Paterno, Dan Collins and Vicki Lee. Board member Scott Zimmerman was not in attendance. Also present were Superintendent Laurie Heinz, Public Information Coordinator Bernadette Tramm, and two members of the public.

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

PUBLIC COMMENTS

Board President Borrelli invited public comments; none were received.

Public
Comments

APPOINTMENT OF NEW BOARD MEMBER

Board President Borrelli reviewed the steps the Board had taken to fill the vacancy created by the resignation of Board member Terry Cameron on June 30. He noted that the Board had interviewed eight candidates during a public meeting on Monday, July 7, before selecting Robert Johnson.

Appointment of
New Board
Member

ACTION ITEM 14-07-1

Action Item
14-07-1

It was moved by Board member Heyde and seconded by Board member Paterno that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois, approve the appointment of Robert Johnson to fill the open Board position vacated by Terry Cameron effective immediately until a new Board Member is elected in April 2015 and seated.

The votes were cast as follows:

AYES: Lee, Heyde, Borrelli, Paterno, Collins

NAYS: None.

PRESENT: None.

ABSENT: Zimmerman

The motion carried.

ADMINISTRATION OF THE OATH OF OFFICE FOR NEWLY APPOINTED BOARD MEMBER

Administration of the Oath of Office for Newly Appointed Board Member

Board President Borrelli administered the oath to Robert Johnson, who was then congratulated and welcomed by the Board. Board President Borrelli shared details about Board member Johnson's background and expertise, noting that his perspective as a parent of older children, his community volunteer work as a youth coach, his familiarity with current issues facing the Board, and his deep financial services professional background will be assets to the Board. He thanked him for his willingness to volunteer for Board service on short notice.

ELECTION OF BOARD SECRETARY

Election of Board Secretary

Board President Borrelli noted that since Board member Cameron had also served as Board secretary, an election for this officer position was needed to fill the role until the Board's reorganizational meeting following the next election in April 2015. He described the responsibilities of the Board secretary, and asked for nominations.

ACTION ITEM 14-07-2

Action Item 14-07-2

It was moved by Board member Paterno and seconded by Board member Heyde to nominate Board member Lee to serve as Secretary of the Board of Education of Community Consolidated School District 64, Cook County, Illinois beginning effective immediately-2015.

AYES: Collins, Paterno, Borrelli, Heyde, Lee, Johnson

NAYS: None.

PRESENT: None.

ABSENT: Zimmerman

The motion carried.

At 5:45 p.m., Board President Borrelli called for a brief recess, which was approved by voice vote. At 6:23 p.m., the Board resumed the meeting. There was one additional member of the public present.

CEC SYSTEM ASSESSMENT OVERVIEW

CEC System Assessment Overview

As the District's new superintendent, Dr. Heinz suggested that it would be extremely helpful to undertake an organization self-assessment led by an outside group to audit the District's and school operations. The goal would be to identify areas of relative strength and opportunities for improvement, and would provide valuable information toward the development of a multi-year strategic

plan later this school year. She introduced Perry Soldwedel from the Consortium for Educational Change (CEC) to review the proposed process. Mr. Soldwedel provided background about CEC and noted that District 64 had been a member for many years, although with varying degrees of participation. He described its founding and current focus areas. He then described a system assessment on a district level as an opportunity to benchmark District 64 against effective practices of other high performing districts. He noted that the effective practices are grounded in the Baldrige Performance Excellence criteria and translated into the Professional Learning Community criteria as defined by the work of Richard and Rebecca DuFour. He reviewed the parts of a system assessment and the timeline for each, including: self-study that includes responding to key questions aligned to effective practices and self-assessment of the implementation of those practices at the District and school level; an external team review and site visit; and oral and written reports. He discussed the time requirements for each step, and indicated that the site visit is usually conducted over three days. Mr. Soldwedel also noted that the criteria for performance excellence: provide a framework for improvement without being prescriptive; are inclusive; focus on common requirements, rather than procedures, tools or techniques; are adaptable; and are on the leading edge of validated management practices.

In response to Board member questions, Mr. Soldwedel described in more detail the logistics of a site visit and how it is staffed by CEC. He noted that the CEC group interviews students, teachers/staff and parents during its school visits during the day, and has the option to conduct a public forum on one of the evenings. An oral report is provided immediately, with written reports following promptly. He described the uses and audiences for the various reports that CEC provides. Dr. Heinz offered additional insights on system assessment based on her past experience with the Baldrige model and as a Lincoln examiner, and how it can provide rich data for a strategic planning group. During the discussion, Mr. Soldwedel also shared the detailed frameworks for the three focus areas: learning, collaboration, and results. He also introduced the specific criteria that are used to measure the indicators in each of the focus areas, and responded to Board member questions to clarify their understanding of each area. In closing, he reaffirmed that data from a system assessment is particularly beneficial at times of leadership change and provides a logical lead-in to strategic planning.

Board members reached consensus that the CEC assessment would be beneficial at this time, and asked for a copy of a sample report to see the final format that could be expected. Mr. Soldwedel reviewed the fee proposal of \$9,000 plus expenses, which does not require specific Board approval. Dr. Heinz confirmed that she would work with CEC to determine a mutually agreeable date to schedule the study; Mr. Soldwedel noted that the fall is heavily scheduled already. She thanked the Board for the opportunity as a new Superintendent to have a clear understanding of where District 64 is now and what needs to be done to help lead District 64 to higher levels of achievement.

DISCUSSION; SUPERINTENDENT TRANSITION

Discussion;
Superintendent
Transition

Board President Borrelli invited Dr. Heinz to report on her transition time prior to officially assuming the responsibilities of Superintendent on July 1. Dr. Heinz noted that although her contract called for 10 transition days, she had actually scheduled 20 days in the District through the spring. She reported on the key activities she had undertaken, including participation in critical hiring decisions, school visits, attendance at Board meetings, and outreach with as many stakeholder groups as possible to listen and learn to find out where District 64 has been and aspirations for the future. She shared a wordle document to visualize the most common themes, including communications, education, students, learning targets, involvement, strategic plan and other key themes. Dr. Heinz reported that she had been very impressed by the willingness of all stakeholders to share, the pride that staff have in the work they do, and the parents' level of investment in the schools. In response to Board member questions, she provided general areas of strength and opportunities for growth, and noted that the proposed one-year goals would help to clearly identify these areas.

STRATEGIC PLANNING – 1 YEAR ROAD MAP AND BOARD CONSENSUS GOALS

Strategic Planning – 1
Year Road Map and Board
Consensus Goals

Dr. Heinz reported that she had reviewed the District's Strategic Plan, the Board's Consensus Goals 2013-15 and the Board Operating Plan in preparing a one-year road map. She noted that the document was a draft, and that following Board review she would share the document further with all District administrators at a planning session on July 14-15. She then reviewed the strategic objectives, strategic challenges, related key goals and key action plans for six areas: outstanding student growth; 21st Century learning for all students; highly qualified staff; safe learning environments; stable financial position; and, effective partnerships and processes. She responded to many Board member questions as she conducted an item-by-item review, and noted several suggested changes, including monitoring the outcome of the Carpenter HVAC project study as a key action plan in the facility area and adding a related key goal in the financial area of maintaining a financial projection that will show the District will meet its fund balance policy to 2020-21. She also confirmed that the District would bring an NWEA consultant to work with administrators and the Board in August to provide training and build understanding about MAP growth targets.

Dr. Heinz reaffirmed this is a one-year road map and that the new Strategic Plan to be developed this year would then move toward the future with clarity and action plans to move forward. Dr. Heinz noted that she would revise the plan, share with the administrative team, and then reshare with the Board, and that this plan would be the focus of her work this year.

SUPERINTENDENT EVALUATION TOOL DEVELOPMENT

Superintendent
Evaluation Tool
Development

Board President Borrelli noted that the Board has the responsibility to monitor the superintendent's performance and that Dr. Heinz had brought forward a new format for the Board's consideration. Based on her research, Dr. Heinz recommended

that the Board consider utilizing a framework from IASB that aligns well with tools used for the professional evaluation of teachers and for principals.

Board President Borrelli announced that the Board would have an extended review of the recommended tool when the meeting reconvened on Saturday.

RECESS MEETING

Recess
Meeting

At 9:50 p.m., it was moved by Board President Borrelli to recess and reconvene at 8:30 a.m. on Saturday, July 12 at the same location, which was approved by voice vote.

RECONVENE MEETING

Reconvene
Meeting

Board President Anthony Borrelli called the reconvened meeting to order at 8:30 a.m. on Saturday, July 12, at the same location. Other Board members in attendance were Dan Collins, Dathan Paterno, Vicki Lee, John Heyde, and Robert Johnson. Board member Scott Zimmerman was not in attendance. Superintendent Laurie Heinz also was present, along with Illinois Association of School Boards (IASB) representative Barb Toney and one member of the public.

PUBLIC COMMENTS

Board President Borrelli invited public comment; none were received.

Public
Comments

ADJOURNMENT TO CLOSED SESSION

Adjournment to
Closed Session

At 8:31 a.m., it was moved by Board member Heyde and seconded by Board member Paterno to adjourn to closed session to discuss self-evaluation, practices and procedures of professional ethics, when meeting with a representative of a statewide association of which the District is a member [5 ILCS 120/2 (c)16].

The votes were cast as follows:

AYES: Johnson, Heyde, Lee, Borrelli, Paterno, Collins

NAYS: None.

PRESENT: None.

ABSENT: Zimmerman.

The motion carried.

The Board adjourned from closed session at about 12:30 p.m. and resumed the special Board meeting.

BOARD OF EDUCATION OPERATING PRINCIPLES

Board of Education
Operating Principles

IASB Representative Toney led the Board through a review of its Operating Principles adopted in 2013. The principles cover eight areas,

including: positive relationships, open communication, quality interaction, collaborative decision-making, handling public concerns, Board and committee meetings, continuous improvement, and accountability. Board members reviewed each area in turn and offered suggestions for modifying several items, which were noted by Ms. Toney and Dr. Heinz. The document will be revised and distributed to the Board.

CONTINUE SUPERINTENDENT EVALUATION TOOL DEVELOPMENT

Continue Superintendent Evaluation Tool Development

Building on an introductory discussion on July 11, Dr. Heinz noted that she had provided the Board with the evaluation tools utilized by the Board for her two immediate predecessors; an article from IASB on “Strengthening the Board-Superintendent Relationship;” and a suggested evaluation tool based on six standards: vision; learning and instruction; organization, finance and facilities; ethics; social and political environments; and policy and governance. Board members then engaged in a lengthy discussion about the tool and considered whether weighting of one standard over another would be beneficial and what metrics would be helpful. Ms. Toney provided insights from IASB on best practices and noted that the process should include a self-assessment from the Superintendent that incorporates evidence of success in each of the standards areas. She noted that the intent is to identify what the Superintendent is doing well and how she can become more effective. Dr. Heinz noted that she would intend to complete a mid-year evaluation in January 2015, and then an annual review conference after Spring Break in April 2015.

It was agreed that the one-year road map that Dr. Heinz presented on July 11 would be a critical component to the evaluation tool. Ms. Toney noted that the first-year evaluation process follows a different course than in the second year, when contract renewal would be a consideration. The Board then further reviewed with Dr. Heinz the one-year road map discussed on July 11, and identified that the categories of Outstanding Student Growth, 21st Century Learning and Highly Qualified Staff could be used as documentation for Standard 2 – Learning and Instruction; Safe Learning Environments and Stable Financial Position could be slotted into Standard 3 – Organization, Finance & Facilities; Effective Partnerships and Processes would be divided into Standard 1 – Vision for items related to the CEC Study and a new Strategic Plan, and communications could fit into Standard 7 – Communication and Community Relations. Dr. Heinz noted further suggestions to key action plans on her road map during the discussion. It was agreed that the upcoming MAP goal-setting presentation scheduled for the August 11 Board meeting would be extremely helpful in setting growth goals in reading and math.

The Board reached consensus that the evaluation tool presented a good framework for the first year with the one-year road map providing the specific goals to be fulfilled. The Board requested that the updated version incorporating the suggestions discussed on July 11 and 12 be reviewed at the August 25 meeting.

BOARD OF EDUCATION TOPICS FOR DISCUSSION

Board of Education Topics for Discussion

Board President Borrelli introduced a discussion of the role of Board committees, but determined that the topic merited further time than available. The Board then moved to a discussion of its meeting structure and calendar. Ms. Toney discussed alternate formats available to divide the work between a Committee-of-the-Whole for discussion of items in advance of a regular Board meeting where action is then taken. This structure focuses discussion into a COW with several topics, leading up to a Board meeting reserved for business. She pointed out that this would require a paradigm shift to build understanding in the community that presentation and discussion is reserved for the COW; unless something new arises, the Board would take action at the business meeting. Alternately, the material could be presented two months ahead if it is likely to require two meetings to discuss it before action is scheduled. This would also provide two opportunities for community input prior to decision-making. The Board then discussed the length of presentations and ways to make the meeting time more efficient. Ms. Toney also offered to share resource material on how to make presentations more effective. She also encouraged the Board to limit its time and attention to Board-level work rather than administrative functions, which might help to reduce overall meeting time. The Board determined it would be beneficial to allow Dr. Heinz to work with her administrative team to make upcoming presentations more focused, and to revisit this area if needed later in the year.

The Board then turned to a discussion of its monthly schedule, location, and meeting day of the week. It was suggested to consider a more central location instead of Jefferson for a "home" base, and to consider alternating with City Council meeting dates if possible.

ADJOURNMENT

Adjournment

At approximately 3:30 p.m., it was moved by Board member Paterno and seconded by Board member Johnson to adjourn, which was approved by voice vote.

President

Secretary

**BOARD OF EDUCATION
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64
Minutes of the Special Board of Education Meeting held at 6:00 p.m.
July 7, 2014
Hendee Educational Service Center
164 S. Prospect Avenue
Park Ridge, IL 60068**

Board President Anthony Borrelli called the meeting to order at 6:00 p.m. and requested that Board member John Heyde act as secretary *pro tempore* for the meeting, which was approved by consensus. Other Board members in attendance were Dan Collins, Dathan Paterno, Scott Zimmerman, and Vicki Lee. Also present were Superintendent Laurie Heinz, Public Information Coordinator Bernadette Tramm, and six members of the public.

Board of Education meetings are videotaped and may be viewed in their full length from the District's website at: <http://www.d64.org/boe/BOE-Video-7-7-141.cfm>

Board President Borrelli briefly reviewed the timeline and procedure followed to fill the vacancy created by the resignation of Board member Terry Cameron, who also served as Board Secretary. He noted that 12 applications had been submitted by the deadline, and that the Board at its June 30 meeting had agreed that all candidates should be asked to submit written responses to three questions by July 5 in preparation for interviews to be conducted at tonight's meeting. The questions were: What is the most pressing or vexing challenge District 64 faces and what ideas or strengths might you have that you could bring to the Board if you are elected; What do you feel is a particular strength of the District and why; and, How have you or will you prepare for the Board member position.

Board President Borrelli announced that eight candidates had fulfilled the requirement to provide the short essays and were available in person for the interview this evening. He also announced that the Superintendent's office had verified that all candidates had met several of the minimum qualifications for office as provided in Board Policy 2:40, and that he would ask each candidate this evening additional questions to verify that each met the remaining qualifications.

Board President Borrelli noted that the Board would deliberate in a closed session following the interviews this evening, but that the Board would vote publicly on the appointment at a special meeting on July 11. The newly appointed member will serve until the new Board is seated following the April 2015 municipal elections.

PUBLIC COMMENTS

Board President Borrelli invited public comments; none were received.

Public
Comments

REVIEW CANDIDATES FOR BOARD VACANCY

Review
Candidates for
Board Vacancy

The Board then began its interviews with the eight candidates; each interview was allocated 20 minutes. Board President Borrelli began every interview by asking each individual whether he or she holds a public office, has any interest in any contract with District 64, is a school trustee, or works for the state or federal government. All eight candidates answered "no" to all items.

Following this question regarding qualifications, Board member Zimmerman then asked the candidate to tell the Board more about themselves and why he or she would want to volunteer to become part of the Board of Education at this time, and the specific background or skills that they would bring to the position. Other Board members then asked follow-up questions inviting each candidate to elaborate on his or her original application letter and on the responses to the additional written questions they had provided the Board. Each candidate was given an opportunity to identify what he or she perceived to be areas of strength or improvement for the District. Each was also questioned about his or her knowledge of current issues facing the Board and their preparation for joining the Board at short notice to fill the vacancy.

The Board interviewed the following individuals in succession: Vicki Loise; Kristin Gruss; Jennifer Kuzminski; and, Kimberly Miller.

At 7:15 p.m., Board President Borrelli called for a brief recess. The Board returned from recess at 7:38 p.m.

The Board then interviewed the following individuals in succession: Patrick Moon; Holly Schneider; Katherine Ranalli; and Robert Johnson.

Board President Borrelli thanked each candidate in turn on behalf of the Board for stepping forward for consideration to be appointed, and encouraged their continued interest and support for District 64.

ADJOURNMENT TO CLOSED SESSION

Adjournment to
Closed Session

At 8:42 p.m., it was moved by Board member Heyde and seconded by Board member Paterno to adjourn to closed session for the selection of a person to fill a public office, including a vacancy in a public office, when the District is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the District is given power to remove the occupant under law or ordinance [5 ILCS 120/2(c)(3)].

The votes were cast as follows:

AYES: Collins, Paterno, Zimmerman, Borrelli, Heyde, Lee

NAYS: None.

Special Board of Education Meeting Minutes
July 7, 2014

PRESENT: None.

ABSENT: None.

The meeting adjourned from closed session at 9:30 p.m.

President

Secretary

DRAFT

Board Member Liaison Report

- Elementary Learning Foundation

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

**Board of Education Agenda
Regular Board Meeting
Jefferson School – Multipurpose Room
8200 Greendale Avenue
Niles, IL 60714**

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

Monday, August 25, 2014

TIME		APPENDIX
7:30 p.m.	<p>Meeting of the Board Convenes</p> <ul style="list-style-type: none"> • Roll Call • Introductions • Opening Remarks from President of the Board <p>• Public Comments</p>	
	<p>• Preliminary Enrollment Report -- Assistant Superintendent for Human Resources/ Chief School Business Official</p>	A-1
	<p>• Farnsworth Report -- Director of Facility Management/Farnsworth Representative</p>	A-2
	<p>• Superintendent Evaluation Update -- Board of Education President</p>	A-3
	<p>• Evaluation Document: Secretaries, Custodians, and Maintenance -- Board of Education President</p>	
	<p>• Consent Agenda -- Board President</p> <ul style="list-style-type: none"> • Personnel Report • Bills, Payroll and Benefits • Approval of Financial Update for the Period Ending July 31, 2014 • Resolution # Recommending the Board Adopt a Copy Fee Schedule for FOIA Request • Approval of Policies from PRESS Issue 84, February 2014 and PRESS Issue 85, May 2014 • Approval of Environ Contract Renewal • Destruction Audio Closed Minutes 	<p>Action Item 14-08-3 A-4</p>

- **Approval of Minutes** Action Item 14-08-4 A-5
 - Board President
 - Special Board Meeting Minutes.....August 11, 2014
 - Regular Board Meeting Minutes.....July 14, 2014
 - Committee-of-the-Whole: Finance & Technology.....July 14, 2014

- **Board Member Liaison Report** A-6
 - Board of Education

- **Other Discussion and Items of Information** A-7
 - Superintendent
 - Upcoming Agenda
 - Memoranda of Information
 - Senior Tax Exchange Program
 - Department of Student Learning Focus Areas
 - Minutes of Board Committees
 - Traffic Safety Minutes of August 12, 2014
 - Other
 - Update on Institute Day & Opening Day of School
 - Update on Summer Construction Projects
 - Photo Session

- **Adjournment**

Next Regular Meeting: **Monday, September 8, 2014**
 Committee-of-the-Whole: Finance -- 6:30 p.m.
 Public Hearing on 2014-15 Final Budget - 7:15 p.m.
 Special Board Meeting -- 7:30 p.m.
Jefferson School -- Multipurpose Room
 8200 Greendale Avenue
 Niles, IL 60714

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

PARK RIDGE-NILES SCHOOL DISTRICT 64
164 S. PROSPECT AVENUE
PARK RIDGE, IL 60068

RECEIVED

JUL 16 2014

BOARD OF EDUCATION
DISTRICT 64

**Note to Requester: Retain a copy of this request for your files. If you eventually need to file a Request for Review with the Public Access Counselor, you will need to submit a copy of your FOIA request.

Date Requested: 16 July 2014

Request Submitted By: E-mail U.S. Mail Fax In Person

Name of Requester: Jeff Leicht

Street Address: 8808 Crystal Springs Road

City/State/County Zip (required): Woodstock, Illinois 60098-7223

Telephone (Optional): 815-338-8491 E-mail (Optional)

Fax (Optional):

Records Requested: *Provide as much specific detail as possible so the public body can identify the information that you are seeking. You may attach additional pages, if necessary.

1. Contract w/ Bergen Construction Corp. for 2014 work at Field Elementary School
2. Draw requests July and August for the above construction work
3. School Board agendas for July, August, September of 2014

Do you want copies of the documents? YES or NO
--Do you want electronic copies or paper copies? paper copies
--If you want electronic copies, in what format?

Is this request for a Commercial Purpose? YES or NO
(It is a violation of the Freedom of Information Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body. 5 ILCS 140.3.1(c)).

Are you requesting a fee waiver? YES or NO
If you are requesting that the public body waive any fees for copying the documents, you must attach a statement of the purpose of the request, and whether the principal purpose of the request is to access or disseminate information regarding the health, safety, and welfare or legal rights of the general public. 5 ILCS 140/6(c)).

Office Use Only 2012-
Date Requested
Date Due

To: Board of Education
Dr. Laurie Heinz, Superintendent

From: Scott Mackall, Director of Facility Management

Date: August 11, 2014

Subject: Summer Construction Update

Field School

The gas line has been run and the meter is due to be installed. I have met with Farnsworth and Bergen construction with regards to the functional testing, we remain on schedule with the process. The District has the opportunity to grind off two inches of asphalt from the play area and the parking lot. Both of these area's are in very poor condition and in need of attention. There will be no increase in the contract amount to complete these items.

Franklin School

The flooring at Franklin School is in process with completion expected on August 8, 2014. The roofing project has had some unforeseen conditions that needed to be addressed in regards to the base perlite insulation. The District is moving with those repairs.

Lincoln School

The play area at Lincoln School has been sealcoated and restriped.

Jefferson School

During the roof project, some areas of concern with isolated holes and seams have been identified that will require some minimal repairs. The District is moving forward with those repairs.

Emerson School

The roofing project at Emerson School has identified some unforeseen conditions with the underlayment in need of replacement. The scope of work is 550 feet of base plywood, felt shingles need to be removed and replaced. The District is moving forward with these repairs.

Carpenter

The play area has been seal coated and restriping of playground graphics is taking place this week. We are also performing some repairs on the play field, I have just spoken with McGinty Brothers who is doing the work, I feel confident that the field will be ready on August 26, 2014 for students. We are monitoring the progress closely. The additional heat in the four classrooms and hallways has begun with a completion date set at the week of August 18, 2014

SONITROL

Sonitrol is on schedule at Emerson, Roosevelt, Carpenter, Lincoln, Franklin and Washington complete. Jefferson will be complete on August 8, 2014 with the installation moving to Field.

Concrete Replacement

Concrete replacement has started at Franklin, Roosevelt, Lincoln and Jefferson locations. This project is to be completed on or before August 15, 2014



certifies that

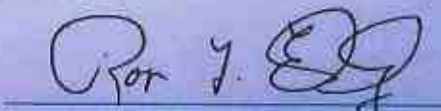
**Park Ridge-Niles
SD 64**

is an

ACTIVE MEMBER

and is entitled to all the
rights, benefits, and
services attached thereto.


President


Executive Director

2014/2015

Code of Conduct

for members of school boards

As a member of my local school board, I will do my utmost to represent the public interest in education by adhering to the following standards and principles:

1. I will represent all school district constituents honestly and equally and refuse to surrender my responsibilities to special interest or partisan political groups.
2. I will avoid any conflict of interest or the appearance of impropriety which could result from my position, and will not use my board membership for personal gain or publicity.
3. I will recognize that a board member has no legal authority as an individual and that decisions can be made only by a majority vote at a board meeting.
4. I will take no private action that might compromise the board or administration and will respect the confidentiality of privileged information.
5. I will abide by majority decisions of the board, while retaining the right to seek changes in such decisions through ethical and constructive channels.
6. I will encourage and respect the free expression of opinion by my fellow board members and will participate in board discussions in an open, honest and respectful manner, honoring differences of opinion or perspective.
7. I will prepare for, attend and actively participate in school board meetings.
8. I will be sufficiently informed about and prepared to act on the specific issues before the board, and remain reasonably knowledgeable about local, state, national, and global education issues.
9. I will respectfully listen to those who communicate with the board, seeking to understand their views, while recognizing my responsibility to represent the interests of the entire community.
10. I will strive for a positive working relationship with the superintendent, respecting the superintendent's authority to advise the board, implement board policy, and administer the district.
11. I will model continuous learning and work to ensure good governance by taking advantage of board member development opportunities, such as those sponsored by my state and national school board associations, and encourage my fellow board members to do the same.
12. I will strive to keep my board focused on its primary work of clarifying the district purpose, direction and goals, and monitoring district performance.



June 9, 2014

To: Superintendents and Affiliates
From: Mary Stith and Simon Kampwerth
Subject: 2014 IASB/IASA/IASBO Joint Annual Conference
November 21-23, 2014
Headquarters Hotels: Hyatt Regency Chicago and Chicago Sheraton

As your 2014 Co-Chairs, we are thrilled to bring you another Joint Annual Conference of the Illinois Association of School Boards, Illinois Association of School Administrators and Illinois Association of School Business Officials. This year promises to be an outstanding opportunity for local school leaders to learn from experts, network with peers, and continue lighting the way in support of quality public education.

School leaders around Illinois will gather this November to *Make the Connection* between education, our communities and student success. As educational leaders, we know we cannot do this work alone. We need to build relationships, seek out expertise, and work together as a leadership team. In short, we must *connect* with others to learn, grow and develop as leaders.

The members and staffs of IASB, IASA and Illinois ASBO are planning panels and sessions related to leadership training, program development and legislative issues designed to assist board members and administrators throughout Illinois.

In the coming weeks, you will receive additional information regarding programs and registration. For now, we would like to highlight a few of the 2014 conference offerings.

At the 2014 Joint Annual Conference you will *Make the Connection*:

- To in-depth issues such as *Working with the Media*, *The Trust Edge* or *Community Engagement* by attending a pre-conference workshop.
- To successful programs in the Chicago Public Schools by touring one of several local exemplary schools.
- To improved meetings and support by participating in the School Board/District Secretary Program.
- To the *Crucial Conversations about America's Schools* with speaker John Draper.
- To best practices in educational leadership with Illinois' own Jim Burgett.
- To the inspirational work of Craig Kielburger and *Free The Children*.
- To the largest statewide collection of school exhibits covering virtually every school district need.
- To a myriad of successful programs presented by knowledgeable panelists and school district leaders across Illinois.
- To the very latest and best in school facility design.
- To information and publications at our expanded bookstore.



***Make the Connection by registering for the
2014 Joint Annual Conference!***



Illinois Association
of School Boards
Illinois Association of
School Administrators
Illinois Association of
School Business Officials

Illinois Association
of School Boards
2921 Baker Drive
Springfield, Illinois 62703-5929
217/528-9688
Fax: 217/528-2831
www.iasb.com