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

Regular Board Meeting Agenda  
Tuesday, February 21, 2017  
Jefferson School – Multipurpose Room  
8200 Greendale Avenue  
Niles, IL 60714

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

### TIME

### APPENDIX

- 6:30 p.m.     **Meeting of the Board Convenes**
- Roll Call
  - Introductions
  - Opening Remarks from President of the Board
- **Board Recesses and Adjourns to Closed Session**  
-- Collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees [5 ILCS 120/2 (c)(2)]
- 7:00 p.m.     • **Board Adjourns from Closed Session and Resumes Regular Board Meeting**
- **Public Comments**
  - **Appointment of Interim Board Member**     A-1  
-- Board President     **Action Item 17-02-2**
  - **Administration of the Oath of Office for Interim Appointed Board Member**     A-2  
--Board President
  - **Preview of Lincoln Summer 2017 Proposed Construction Projects**     A-3  
-- Representative from Studio GC
  - **Approval of Construction Financing Framework**     A-4  
-- Chief School Business Official     **Action Item 17-02-3**
  - **Approval of Summer 2017 Field Window Project**     A-5  
-- Chief School Business Official     **Action Item 17-02-4**

- **Approval of Resolution # 1179 to Transfer Remaining \$4.5 from Working Cash to Capital Projects** **Action Item 17-02-5** **A-6**
  - Chief School Business Official
  
- **Mid-Year Update on 2020 Vision Strategic Plan Year 2 Implementation** **A-7**
  - Superintendent
  
- **E-Rate Update** **A-8**
  - Director of Innovation and Instructional Technology
  
- **Discussion of 2017-18 Student Fees** **A-9**
  - Chief School Business Official
  
- **Board Authorizes 2017-18 Staffing Plan** **A-10**
  - Chief School Business Official/  
Assistant Superintendent for Human Resources **Action Item 17-02-6**
  
- **First Reading of Policies from PRESS 93 Issue and Policy 2:100** **A-11**
  - Superintendent
  
- **Consent Agenda** **Action Item 17-02-7** **A-12**
  - Board President
    - Personnel Report
    - Bills, Payroll and Benefits
    - Approval of Financial Update for the Period Ending January 31, 2017
    - Approval of Intergovernmental Agreement for Shared Assistive Technology Services
    - Approval of Intergovernmental Agreement for Shared Vision/O&M Services
    - Approval of Policies 2:80, 2:81, 2:110, 2:140, 2:230
    - Review of Closed Session Minutes for Release
    - Destruction Audio Closed Minutes (none)
  
- **Approval of Minutes** **Action Item 17-02-8** **A-13**
  - Board President
    - Closed Session Meeting -----February 13, 2017
    - Special Board Meeting -----February 13, 2017
    - Committee-of-the-Whole: Finance Meeting ---February 6, 2017
    - Special Board Meeting -----February 6, 2017
    - Closed Session Meeting ----- February 6, 2017
    - Regular Board Meeting -----January 23, 2017
    - Closed Session Meeting -----January 23, 2017
  
- **Other Discussion and Items of Information** **A-14**
  - Superintendent
    - Upcoming Agenda
    - Freedom of Information Act Requests (FOIA)
    - District Committee Update (Elementary Learning Foundation)
    - Memorandum of Information
      - Board of Education Organizational Meeting – May 1, 2017
    - Minutes of Board Committees (none)
    - Other

- Discipline Data Report

• **Adjournment**

Next Meeting:       **Monday, March 13, 2017**  
                          Regular Board Meeting – 7:00 p.m.  
                          **Franklin School - Gym**  
                          2401 Manor Lane  
                          Park Ridge, IL 60068

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

Upcoming Meetings and Topics  
As of February 15, 2017

**March 13, 2017 – Franklin School – Gym**

Regular Board Meeting – 7:00 p.m.

- Pledge of Allegiance and Welcome
- Approval of Assistant Principal for Roosevelt School
- Website Analytics Report
- Final Review of 10-year Health Life Safety Survey (ISBE)
- Approval of E-rate Projects
- Discussion on District Lawn Care Procedures
- Present Tentative Calendar for 2018-19
- Approve Parameters Debt Certificate Resolution Authorizing Board President, Superintendent and Business Manager Final Approval of Sale
- Approval of Summer 2017 Roof Projects
- Approval of Student Fees (consent)
- Resolutions for Reduction in Force, etc. (consent)
- Approval of Financial Update for the Period Ending February 28, 2017 (consent)
- Approval of Policies from PRESS Issue 93 and Policy 7:60 (consent)
- Approval of Contract for Audit Services in 2017-18
- Report on 2017-18 School Year Registration (memo of information)
- Healthy Living Month (memo of information)
- EL Findings (other)

**April 3, 2017 – Jefferson School – Multipurpose Room (moved from April 10, 2017)**

Special Board Meeting – 6:30 p.m.

- Approval of Lincoln LRC
- Approval of Lincoln Secure Vestibule
- Approval of Student/Parent Handbook 2017-18

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

**April 24, 2017 – Carpenter School – South Gym**

Public Hearing on Issuance of Working Cash Fund Bonds – 6:45 p.m.

Regular Board Meeting – 7:00 p.m.

- Authorization to Issue Working Cash Fund Bonds Good Through April of 2020
- Report on 5 Essentials Survey
- Report on Communications Audit
- Update on Current Facilities Projects
- Recommendation of Food Service Contract
- Update on Educational Ends
- Approval of Ten-year Health Life Safety Plan ISBE
- Approval of Financial Update for the Period Ending March 31, 2017 (consent)
- Adopt 2018-19 Tentative Calendar (consent)
- Follow-up on Collection of Student Fees (memo of information)

**May 1, 2017 – Jefferson School – Multipurpose Room**

Special Board Meeting – 6:30 p.m.

- Acceptance of Canvass of Votes for Election of Board Members for April 4, 2017
- Consent Agenda

- Approval of Financial Update for the Period Ending April 30, 2017

- Approval of Minutes
- Recognition of Retiring Board Members

Organizational Meeting – 7:30 p.m.

- Election of Board President
- Election of Board Vice President
- Election of Board Secretary
- Approval of Board of Education Meetings for 2017-18
- Review of Board of Education Assignment (Board Policy Committee)
- Board of Education Vacations (other)
- Photo Session (other)
- Board Retreat (other)

May 8, 2017 – Jefferson School – Multipurpose Room

Committee-of-the-Whole – 7:00 p.m.

May 22, 2017 – Emerson School – Multipurpose Room

Regular Board Meeting – 7:00 p.m.

- Recognition of Student Awards
- Recognition of Tenured Teachers
- Elementary Learning Foundation (ELF) Grant Awards
- Review Board Goals and Objectives
- Update on Current Facilities Projects
- Approval of Final Calendar for 2016-17 (consent)

Future Meeting Topics

- Approval of Annual Technology Update
- Approval of Transportation Bid
- Approval of Summer 2017 Bids Projects – Spring
- Wellness Policy (memo)
- Approval of Salaries i.e.administratrion, etc.
- Judith L. Snow Awards – June 26, 2017
- Approval of Financial Update for the Period Ending May 31, 2017 – June 26, 2017
- Update on 2016-17 Residency - June 26, 2017
- Approval of Tentative Budget – June 26, 2017
- Approval of Safety Hazards (Transportation) – June 26, 2017
- Follow-up on Collection of Student Fees – June 26, 2017 (memo of information)
- Discipline Data Report – June 26, 2017
- Update on English Language Arts Curriculum Review

The above are subject to change.

Appointment of Interim Board Member

ACTION ITEM 17-02-2

I move that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois approve the appointment of (name) to fill the open Board position vacated by Dathan Paterno effective immediately until the new Board is elected and seated following the April 4, 2017 meeting.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

AYES:

NAYS:

PRESENT:

ABSENT:

2/21/17

Administration of the Oath of Office for Interim Appointed Board Member

The Board President will administer the Oath of Office.

Preview of Lincoln Summer 2017 Proposed Construction Projects

Representatives from Studio GC will provide the Board with an update on proposed summer 2017 construction projects at Lincoln Middle School. Studio GC will have visual renderings of the LRC and secure vestibule for the Board to review.



To: Board of Education  
Dr. Laurie Heinz, Superintendent  
From: Luann Kolstad, Chief School Business Official  
Date: February 21, 2017  
Subject: Approval of Construction Financing Framework

At the February 6, 2017 Special Board meeting, administration presented to the Board a financial framework for funding the Health Life Safety (HLS), Critical Infrastructure and priority Capital Projects to be completed over the next five years. Elizabeth Hennessy from William Blair provided a detailed analysis of this funding plan, which meets the Board's desired goals of using local taxpayer resources prudently to meet the community's expectations for its aging schools, without unduly hampering future boards' ability to fund additional work.

### **Background**

The Board and administration over the past three years have dedicated enormous effort to identify the critical infrastructure needs of the District. During the 2014-15 school year, the District undertook a competitive selection process for new architects of record. Through this process, FGM Architects were selected to prepare a comprehensive 10-year Health Life Safety Survey completed in spring 2015 and to create a Master Facilities Plan. In 2015-16, the Board and administration worked with FGM to understand the enormity of the challenges, in terms of the myriad of projects identified for each school and the overall financial impact of addressing the needs of our buildings. Numerous hours were devoted to this complex work, with FGM, construction manager Nicholas and Associates, engineering specialists, financial consultant Elizabeth Hennessy from William Blair, security consultant Paul Timm from RETA Security, local Park Ridge First Responders, our safety planning partners from the Northeastern Illinois Public Safety Training Academy (NIPSTA), and other contributors bringing expertise to the proposals and the Board's discussions. In 2016-17, District 64 added Studio GC to prioritize and verify cost estimates to create a balanced, 5-year plan that would coincide with the timing of the District 64 *2020 Vision* Strategic Plan.

### **Funding Framework**

The funding framework brought forward at the February 6, 2017 meeting, therefore, is actually the conclusion of a multi-year effort by administration and the Board. It is designed to identify funding sources in order to complete 100% of HLS category B projects (required); 100% of Critical Infrastructure category 2; Critical Infrastructure category 3; and additional priority capital projects. Based on the Board's direction at the November 28, 2016 meeting, the five-year plan was updated to show this work. (Attachment 1)

The chart from the February 6, 2017 Committee-of-the-Whole: Finance meeting also has been revised as shown below, which includes a summary of the projects that are included within the proposed \$30 million funding framework allocation. At this time, please note that Studio GC is

working on *reworking and repricing* remaining vestibules, which are listed here at their original scope.

| <b>Projects Included in Funding Framework - 5 YEARS</b>   |                     | <b>Summer 2017 Only</b>  |
|---|---------------------|--|
| 100% Health Life Safety (HLS) B - <i>required in 5 years</i>  | \$5,820,780         | Field windows, Franklin plumbing, Lincoln doors and plumbing, Washington plumbing                              |
| 100% Critical Infrastructure 2 - <i>essential for "safe, warm and dry"</i>                          | \$13,425,582        | Roosevelt roofs (#1-5), Lincoln roof #6) and water piping  |
| Critical Infrastructure 3 - <i>essential for "safe, warm and dry"</i>                               | \$802,234           | Lincoln Tuckpointing   |
| Additional Capital Projects:<br>21st century Learning Resource Centers (LRC)* and Secure Vestibules | \$9,748,333         | Lincoln vestibule, Lincoln Learning Resource Center, Lincoln Corridor Flooring, Field Learning Resource Center |
|   | \$29,796,928        |  |
| <b>Additional Priority Items:</b>   |                     |  |
| Explore Renovation of K-5 Auditoriums*  | \$0                 |  |
| <b>5-Year Total</b>   | <b>\$29,796,928</b> |  |

The \* projects above were moved into the five-year plan based on Board discussion. The flooring remains a priority, because the majority of flooring in all schools, except Emerson, is over 30 years old and well beyond its useful life, with only limited replacements having occurred in recent years. However, based on Board discussion at the February 6, 2017 meeting, administration has decided to address flooring as funds become available, but also as we complete significant work within a building. Since we will already have asbestos and flooring contractors in the building, we believe it is prudent to take advantage of economies of scale. As always, it is our hope that economies can be achieved not only with flooring, but with other areas as projects move forward, to provide funding for the K-5 auditorium renovations.

Over the course of the five-year plan (or later), District 64 also will need to address: energy saving initiatives: LED lighting and occupancy sensors; new PA, clock systems and necessary wiring for upgraded system; and furniture, fixtures and equipment for future-ready classrooms and common spaces. However, it may be possible that portions of the annual Operations & Maintenance Fund budget could be directed to some of this work.

In addition, the ultimate use of Jefferson also needs to be clarified. Therefore, work on all but the most critical portions of the building are not addressed at this time. As the District completes further demographic analysis and a full-day kindergarten feasibility study, the future of this facility will be decided.

### Summary

The funding framework brought forward takes the widest view possible of all available resources at the District's disposal. It accesses funds through a combination of funding streams while leaving flexibility for future boards to tap additional funding if needed. Here are several important features:

- The framework acknowledges the commitment to the community made at the 2007 referendum -- and carried forward by all Boards of Education who have served since that time -- to not return to the community for further rate relief for at least 10 years, which has now been extended to 2020-21.

- The framework includes investing the savings from the recently completed Collective Bargaining Agreements (CBAs) with the District two largest employee groups (teachers and teaching assistants).
- It also utilizes cash on hand from the District’s fund balance previously earmarked for facility work.
- It introduces a new form of financing for District 64 -- Debt Certificates -- that will be paid back within the District’s operating funds tax levy. This commitment is a further sign of the District’s commitment to fiscal discipline.
- The limited bonds issued in 2019 and 2020 will make use of an accumulated \$2 million in the Bond and Interest Fund to pay debt service.
- The limited bonds also will fill in only a portion of the debt service levy that has dropped as the District has paid off the 1997 Emerson Middle School bonds.

The administration is asking the Board to approve a Construction Financing Framework, consisting of Debt Certificates, cash on hand, and Working Cash Limited Bonds. This framework would be implemented over the next three years with the Board voting on each issue of debt certificates and bonds. Elizabeth Hennessey, William Blair, and Lynda Given, Chapman and Cutler, have prepared a “Preliminary Financing Schedule” for the Debt Certificates and one for the Working Cash Limited Bonds. (Attachment 2)

**Next Steps**

Authorization this evening would allow the District to develop the necessary documents to authorize issuance of debt certificates and to begin the process to authorize the bonds. Both of these action items would be brought forward for Board action at the March 13 meeting.

As the first level of the recommended framework needed to achieve this multi-year facilities plan, District 64 will rely on the proceeds of the Debt Certificates to help fund summer 2017 projects. As noted in the bulleted list above, the use of Debt Certificates designates the savings resulting from the recent employee agreements coupled with strong fiscal discipline to pay back the certificates from operating funds imposing no additional burden on taxpayers.

**ACTION ITEM 17-02-3**

I move that the Board of Education of Community Consolidated School District 64 Park Ridge-Niles, Illinois approve the proposed Construction Financing Framework.

The votes were cast as follows:

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

AYES:

NAYS:

PRESENT:

ABSENT:

2/21/2017

**Park Ridge-Niles CCSD 64, Cook County, IL**  
**Preliminary Financing Schedule**  
**\$9.25M\* Debt Certificates, Series 2017**

| February 2017 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | T  | F  | S  |
|               |    |    | 1  | 2  | 3  | 4  |
| 5             | 6  | 7  | 8  | 9  | 10 | 11 |
| 12            | 13 | 14 | 15 | 16 | 17 | 18 |
| 19            | 20 | 21 | 22 | 23 | 24 | 25 |
| 26            | 27 | 28 |    |    |    |    |
|               |    |    |    |    |    |    |

| March 2017 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | T  | F  | S  |
|            |    |    | 1  | 2  | 3  | 4  |
| 5          | 6  | 7  | 8  | 9  | 10 | 11 |
| 12         | 13 | 14 | 15 | 16 | 17 | 18 |
| 19         | 20 | 21 | 22 | 23 | 24 | 25 |
| 26         | 27 | 28 | 29 | 30 | 31 |    |
|            |    |    |    |    |    |    |

| April 2017 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | T  | F  | S  |
|            |    |    |    |    |    | 1  |
| 2          | 3  | 4  | 5  | 6  | 7  | 8  |
| 9          | 10 | 11 | 12 | 13 | 14 | 15 |
| 16         | 17 | 18 | 19 | 20 | 21 | 22 |
| 23         | 24 | 25 | 26 | 27 | 28 | 29 |
| 30         |    |    |    |    |    |    |

**Date****Activity****Responsibility****Status**

|                             |
|-----------------------------|
| Regular Meeting<br>6-Feb-17 |
|-----------------------------|

Discuss plan of financing

District/WBC

Done

27-Feb-17

Distribute Preliminary Official Statement (POS) for Review

All Parties

6-Mar-17

Receive comments on Draft Preliminary Official Statement

All Parties

Week of March 6th

Rating Agency Meeting/Conference Call

District/WBC

6-Mar-17

Debt Certificate Resolutions for Board Packet

C&amp;C

|                              |
|------------------------------|
| Regular Meeting<br>13-Mar-17 |
|------------------------------|

Approve parameters Debt Certificate resolution authorizing Board President Superintendent and Business Manager final approval of sale

District/WBC

13-Mar-17

Receive Rating/Due diligence Call on Debt Certificates

All Parties

Week of March 20th

Price Certificates with final approval of Board President, Superintendent and Business Manager

All Parties

Ongoing

Process documentation

C&amp;C/WBC

2-Apr-17

Mail Final Official Statement &amp; Closing Memo

WBC

12-Apr-17

Close Debt Certificate issue

All Parties

|  |
|--|
| <b>Park Ridge-Niles CCSD 64</b><br><b>William Blair &amp; Company, Underwriter</b><br><b>Chapman and Cutler, Bond Counsel/Disclosure Counsel</b> |
|--|

|   |
|---|
| <b>District</b><br><b>WBC</b><br><b>C&amp;C</b> |
|---|

\*Preliminary, subject to change.

**Park Ridge-Niles CCSD 64, Cook County, IL**  
**Preliminary Financing Schedule**  
**Up to \$22M\* Working Cash Fund Bonds, Series 2019 and Series 2020**

| February 2017 |    |    |    |    |    |    |
|---------------|----|----|----|----|----|----|
| S             | M  | T  | W  | T  | F  | S  |
|               |    |    | 1  | 2  | 3  | 4  |
| 5             | 6  | 7  | 8  | 9  | 10 | 11 |
| 12            | 13 | 14 | 15 | 16 | 17 | 18 |
| 19            | 20 | 21 | 22 | 23 | 24 | 25 |
| 26            | 27 | 28 |    |    |    |    |
|               |    |    |    |    |    |    |

| March 2017 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | T  | F  | S  |
|            |    |    | 1  | 2  | 3  | 4  |
| 5          | 6  | 7  | 8  | 9  | 10 | 11 |
| 12         | 13 | 14 | 15 | 16 | 17 | 18 |
| 19         | 20 | 21 | 22 | 23 | 24 | 25 |
| 26         | 27 | 28 | 29 | 30 | 31 |    |
|            |    |    |    |    |    |    |

| April 2017 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | T  | F  | S  |
|            |    |    |    |    |    | 1  |
| 2          | 3  | 4  | 5  | 6  | 7  | 8  |
| 9          | 10 | 11 | 12 | 13 | 14 | 15 |
| 16         | 17 | 18 | 19 | 20 | 21 | 22 |
| 23         | 24 | 25 | 26 | 27 | 28 | 29 |
| 30         |    |    |    |    |    |    |

**Date**

**Activity**

**Responsibility**

**Status**

Regular Meeting  
6-Feb-17

Discuss plan of financing

District/WBC

Done

6-Mar-17

Resolution of Intent for Board Packet

C&C

Regular Meeting  
13-Mar-17

Pass Resolution of Intent to issue working cash bonds and set public hearing regular meeting regarding working cash fund bonds

District/WBC

15-Mar-17

Publish Resolution of Intent in local newspaper beginning petition period

WBC

5-Apr-17

Publish Bond Hearing Notice in the local newspaper  
(Must appear in the paper more than 7 days, but no more than 30 days prior to the Public Hearing.)

WBC

20-Apr-17

Post Notice of Public Hearing at District Office

District

14-Apr-17

Petition period expires

District

Regular Meeting  
24-Apr-17

Public Hearing on Issuance of Working Cash Fund Bonds  
(Authorization good through April of 2020)

District/WBC

**Park Ridge-Niles CCSD 64**  
**William Blair & Company, Underwriter**  
**Chapman and Cutler, Bond Counsel/Disclosure Counsel**

**District**  
**WBC**  
**C&C**

\*Preliminary, subject to change.

To: Board of Education  
Dr. Laurie Heinz, Superintendent

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

Date: February 21, 2017

Subject: Approval of Summer 2017 Field Window Project

As authorized at the November 28, 2016 Board of Education meeting, District 64 prepared construction documents and sought bids for replacement of windows at Field School. This is one of the estimated \$5.3 million in projects approved for bidding for the coming summer.

Bids for the Field Window Project were received at 10:00 a.m. on February 15, 2017. The District solicited bids from four contractors, and received bids from two. The lowest responsible base bid was from Krull Windows in the amount of \$701,572.00 with alternative bid amounts as itemized on attachment equaling \$103,952.00, for a total bid award of \$805,524. As a follow-up to the bid opening, Studio GC has met with Krull to review the scope of the project and has recommended to administration that the bid be awarded to Krull. (Attachment 1) Due to the favorable pricing, the District recommends proceeding with the alternates at this time.

The Field Window Project is a Category B Health Life Safety (HLS) project. Category B projects are **required** to be completed within the five-year time period after the adoption of the HLS. The initial estimate for the project was \$1,175,467. The bid to be awarded represents a difference of \$369,943 from the original estimate including the alternates.

Related to this work, the District will incur architectural fees of 7.5% and construction management fees (estimated at 3%) for this project, as reviewed at the November 28, 2016 Board meeting.

### **Approval of Summer 2017 Field Window Project**

#### **ACTION ITEM 17-02-4**

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the base bid and alternates received from Krull in the amount of \$805,524 for the Summer 2017 Field Window Project. The votes were cast as follows:

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

AYES:

NAYS:

PRESENT:

ABSENT:

2/21/2017



Attachment 1

**Client:** Park Ridge-Niles SD 64  
**Project Name:** 2017 Window Replacement  
 Field Elementary School  
**Project No.:** 16114  
**Bid Date:** February 15, 2017 @ 10:00 a.m.  
**Project Architect:** Rick Petricek

**BID TAB WORKSHEET**

| Contractor                             | Total Bid Amount | Alternates  |             |             |              | Base Bid + Alt. Grand Total | Addendum |    | Bid Bond | Remarks |
|--|------------------|-------------|-------------|-------------|--------------|-----------------------------|----------|----|----------|---------|
|  |                  | Alt. No. 1  | Alt. No. 2  | Alt. No. 3  | Alt. Total   |                             | #1       | #2 |          |         |
| A. Lujan Contractor<br>708-707-6175    | NO BID           |             |             |             |              |                             |          |    |          |         |
| All American Exteriors<br>847-438-4131 | NO BID           |             |             |             |              |                             |          |    |          |         |
| Krull Window<br>708-396-1200           | \$701,572.00     | \$36,147.00 | \$13,494.00 | \$54,311.00 | \$103,952.00 | \$805,524.00                | X        | X  | X        |         |
| RWS, Inc.<br>708-333-5050              | \$863,000.00     | \$28,155.00 | \$8,218.00  | \$50,340.00 | \$86,713.00  | \$949,713.00                | X        | X  | X        |         |
|  |                  |             |             |             |              |                             |          |    |          |         |
|  |                  |             |             |             |              |                             |          |    |          |         |

Alt. #1: Amount ADDED to add security grilles in Multipurpose/Lunch Room.  
 Alt. #2: Amount ADDED to replace storefront framing and glazing adjacent to opening 119 and 119A.  
 Alt. #3: Amount ADDED to replace storefront entrances and hardware at openings 101, 101A, 119, and 119A.

To: Board of Education  
Dr. Laurie Heinz, Superintendent

From: Luann Kolstad, Chief School Business Official

Date: February 21, 2017

Subject: Adoption of Resolution #1179 for Abatement of Funds from the Working Cash to Capital Projects Fund

At the June 27, 2016 Board of Education meeting, the Board approved a resolution to transfer \$5.5 million from the Working Cash Fund to the Capital Projects Fund. This money was used to pay for the summer 2016 construction projects. At that time, the administration told the Board that the resolution to move the remaining \$4.5 million from Working Cash into Capital Projects would take place during the 2016-17 fiscal year and is accounted for in the budget the Board adopted in September 2016. Approximately \$1 million of the \$4.5 million will be used to pay off the summer 2016 construction. The final summer 2016 project in process is the Lincoln Middle School window project.

To refresh the Board's memory, Section 20-10 of the *School Code* allows for the permanent abatement of funds in the Working Cash Fund to the fund or fund(s) most in need, as long as a sufficient balance remains in the fund after the transfer.

Resolution #1179 authorizes the School Treasurer to permanently abate the amount of \$4.5 million from the Working Cash Fund into the Capital Projects Fund, the fund that has been determined to be the fund most in need. The remaining balance will be used to fund future capital projects.

### **Approval of Resolution 1179**

#### **ACTION ITEM 17-02-5**

I move that the Board of Education of Community Consolidated School District 64 Park Ridge-Niles, Illinois adopt the attached Resolution #1179 authorizing the School Treasurer to permanently abate the amount of \$4.5 million from the Working Cash Fund into the Capital Projects Fund, the fund that has been determined to be most in need.

The votes were cast as follows:

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

AYES:

NAYS:

PRESENT:

ABSENT:

2/21/2017



**RESOLUTION #1179 ABATING WORKING CASH FUND**

**WHEREAS**, the Board of Education of Community Consolidated School District No. 64, Cook County, Illinois ("Board of Education") has created, maintained and administered a fund known as a "Working Cash Fund" in the manner prescribed in Article 20 of the *School Code* (105 ILCS 5/20-1 *et seq.*) for the purpose of enabling Community Consolidated School District No. 64, Cook County, Illinois (the "School District") to have in its treasury at all times sufficient money to meet demands thereon for ordinary and necessary expenditures for corporate purposes; and

**WHEREAS**, the Board of Education may abate the Working Cash Fund upon adoption of a resolution so providing and directing the transfer of the amount abated in such Fund to the fund or funds of the School District most in need, pursuant to Section 20-10 of the *School Code* (105 ILCS 5/20-10); and

**WHEREAS**, the Board of Education finds that it is both financially prudent and necessary to abate the Working Cash Fund in the total amount of \$4,500,000, and that the amount to the credit of the Working Cash Fund after such transfer, including taxes levied pursuant to Section 20-3 and not yet collected and amounts transferred pursuant to Section 20-4 and to be reimbursed to the Working Cash Fund, equals 0.05% or more of the current value, as equalized or assessed by the Department of Revenue, of the taxable property in the School District; and

**WHEREAS**, the Board of Education finds that the fund most in need of such abated monies is the Capital Projects Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of Community Consolidated School District No. 64, Cook County, Illinois, as follows:

**Section 1:** The Working Cash Fund of the School District is hereby abated in the following amount:

| <u>Amount</u> | <u>Transferor Fund</u> | <u>Receiving Fund</u> |
|---------------|------------------------|-----------------------|
| \$4,500,000   | Working Cash Fund      | Capital Projects Fund |

**Section 2:** The Treasurer of the School District is hereby directed to:

- (a) permanently transfer the amounts as set forth in Section 1 above; and
- (b) if necessary to effectuate such abatement, pay to the Receiving Fund any outstanding Working Cash loans to any other fund of the School District; and

- (c) if necessary to effectuate such abatement, pay to the Receiving Fund any outstanding taxes of the School District levied pursuant to Section 20-3 of the *School Code* (105 ILCS 5/20-3).

**Section 3:** All resolutions or parts thereof in conflict with this Resolution shall be repealed and this Resolution shall be in full force and effect immediately upon its passage.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2017, by the following roll call vote:

AYES:

NAYS:

ABSENT:

---

President, Board of Education

ATTEST:

---

Secretary, Board of Education



Mid-Year Update  
2020 Vision Strategic Plan  
Year 2 Implementation

District 64 Board of Education - February 21, 2017

Dr. Laurie Heinz, Superintendent

# Inspire every child to

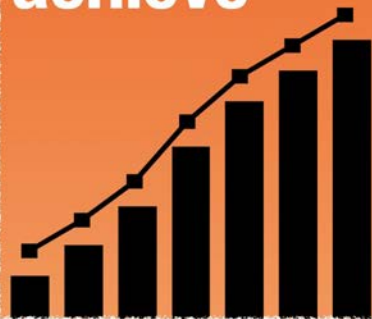
**discover**



**learn**



**achieve**



**care**





# Update on Strategic Objective One

(Develop Students Who Master the 4 C's:  
Communication, Collaboration, Creativity, and Critical Thinking)

## ***A. Engaging, Motivating, and Challenging Educational Program***

- Implementation of new C of C eligibility process
- Implementation of Learning Walk Protocol for Formative Assessment (Spring 2017)

## ***B. Inquiry-Based Learning***

- Development of inquiry-based learning units to be piloted this spring (Cohort I)

## ***C. Technology Integration***

- Ongoing job-embedded coaching regarding the 4C's
- BrightBytes questionnaire completed in fall by staff and students grades 3-8, and data uploaded to Scorecard
- Pilot and development of Otus - student data performance to warehouse assessment data.



# Update on Strategic Objective Two

(Provide a Rigorous Education for All Students)

## *A. Aligned, Articulated Curriculum*

- Ongoing development of Curriculum Maps, Pacing Guides, Common Assessments

## *B. High-Impact Instruction*

- High Impact Instruction (Last Session-April 2017)
- Formative Assessment (100% Staff Participation)

## *C. Standards-Based Reporting*

- Mastery Learning Committee - Homework & Grading Study Team (Spring 2017)



# Update on Strategic Objective Three

(Differentiate to Meet the Academic  
and Social/Emotional Health Needs of All Students)

## ***A. High-Quality Tier 2 and Tier 3 Intervention***

- Math Tier 3 expanded to be available for special education and Title I students
- SEL (Social and Emotional Learning) program, Second Step - expanded and now offered in all schools, heading to full implementation. Programs to address community-building are under committee review.
- Expanded Tier 3 interventions being offered in math, writing and SEL
- Core + Committee authorizes the SEL Committee to reconvene to plan the Multi Tiered System of Support

## ***B. Data-Driven Decision-Making***

- Core + Committee finalized a comprehensive mission and multi-year timeline leading to full implementation
- Core + Subcommittee to standardize Problem-Solving Process, implement electronic data system and will recommend a standardized process later this year
- Special Education Reading Intervention Procedures K-8, including progress monitoring protocols, are jointly developed and implemented
- Continued expansion of K-8 Co-Teaching Model



# Update on Strategic Objective Four

(Foster Effective Communities of Practice  
through Professional Development and Staff Support)

## *A. Collaboration & Teaming for Continuous Improvement*

- **SMART Cohort I**
  - District Strategic Data Leadership Teams (60 members)
  - Professional Development on the Continuous Improvement Process for schools
- **SMART Cohort II**
  - Student Goal-Setting Teams (14 partnerships)
  - Professional Development on the SMART Goal-Setting Cycle for Students

## *B. Professional Communities of Practice*

- Continued virtual community learning opportunities

## *C. Differentiated Professional Development*

- Power RtI Training
- Mastery Learning: Rick Wormeli Workshop
- Inquiry-Based Learning Design Cohort I
- District 64 Framework Training: 4 Domains
- District 64 Problem-Solving System
- Seven Strategies of Assessment for Learning - FINAL
- Assessment Design Training
- K-5 Reading Records
- Co-Teaching Workshop
- SMART Process Cohort II, Student Goals Cohort I
- Summer professional development (High-Impact Instruction)





# Update on Strategic Objective Five

(Provide Safe and Secure Learning Spaces  
to Support 21st Century Learners)

## ***A. Life Safety & Universal Access***

- Architects & administration revised and prioritized multi-year timeline of all HLS projects (2016-2021)
- William Blair representative discussed financing with Board on 2/28/16, 11/28/16
- Financing framework presented at 2/6/17 COW on Finance

## ***B. Master Facilities Plan***

- Administration identified ***Priority and Capital projects*** to be addressed and created a priority project timeline
- Beginning in February, bids for Summer 2017 HLS and MFP projects will be brought to Board

## ***B. Master Facilities Plan (continued)***

- Summer Construction proposed projects previewed and authorized for design/bid:
  - Field windows
  - Lincoln LRC
  - Lincoln roofing, some doors and water piping
  - Lincoln Secure Vestibule
  - Roosevelt roofing
  - Franklin LRC flex space (*studied not bid*)



# Update on Strategic Objective Five (continued)

## ***C. Environmental Health***

- Critical issues with all facilities continuing through 2021
- Developed and implemented Comprehensive Safety & Security Plan (CSSP)
- Trained entire staff on Incident Command basics and previewed new CSSP
- Trained crisis staff in ICS-100 for Schools
- Added *Crisis Go* mobile app to District Crisis Plan
- Conducted Building Access Probes and reported results (1/23/17)
- Conducted Secure Vestibule Survey and reported results to the Board (1/23/17)
- Continuing updates to Sonitrol system and other security features
- Planning table top scenario exercises by school and at ESC



# Update on Strategic Objective Six

(Maintain Fiscal Responsibility that Reflects a Commitment to Student Learning and a Rich Variety of Programs and Services)

## *A. Financial Stewardship*

- Financial portion of District 64 [Dashboard](#) updated
- Monthly financial reports clearly separate Operating Funds from other funds. [Financial reports are posted monthly to the website along](#) with accounts payable approved at each BOE meeting.
- Staffing plans developed based on enrollment projections using Cohort Survival and live birth data presented 2/6/17 COW: Finance
- Administration provides updated Financial Projections to the BOE at key times during the year (Tax Levy, Budget Adoption, Staffing, Negotiations, Curriculum/Technology adoptions, etc.)
- Completed Collective Bargaining with PREA and PRTAA
- Preparation for IFT bargaining underway
- 2015-16 Audit completed, accepted by Board and submitted to ISBE. Audit posted on website along with management letters.



# Update on Strategic Objective Six (continued)

## *B. Finance Priority Projects*

- Presented Board proposed construction projects for Summer 2017 and 5-year plan
- Associated costs and funding options shared and under ongoing discussion
- \$10 million authorized for Capital Projects Fund from Operating Funds
- Savings from retirement incentives earmarked to fund priority projects and capital improvements
- Holding 0% increases on supply purchases for 2017-18 budget

## *C. Fund Balance Policy*

- Prepared and presented to BOE the Days Cash on Hand and Percentage Fund Balance at close of 2015-16 Fiscal Year
- Through use of Financial Projections model, Board receives on-time updated projections that allow Board to see impact of decisions.



# Update on Strategic Objective Six (continued)

## ***D. Finance Priority Programs***

- K-8 ELA and Middle School Science Program review committees in progress; no recommendations received at this time.
- Grades I-8 Hot Lunch going out to bid for implementation in Fall 2017-18

## ***E. Plan for Future Challenges***

- Cohort Survival enrollment projections updated for 2017 to forecast enrollment trends. Areas of concern are Emerson Middle School enrollment and certain elementary buildings.

## ***F. Parent and Community Education***

- Superintendent Community Relations Council continues for 2nd year
- Investments in student learning highlighted within 2016-17 Budget documents
- 2nd comprehensive Annual Report for 2016 nearing completion for mailing to all residents
- 2016 Financial e-Report (third edition) being drafted; postcard mailing planned
- Communications audit to be conducted March 2017 to fine-tune outreach especially to non-parent community

*(continued)*



# Update on Strategic Objective Six (continued)

## *F. Parent and Community Education (continued)*

- ISBE 5Essentials Survey for staff, middle school students, parents Dec 2016 - Jan 2017
- [District 64 website Dashboard](#) updated
- Second *Thoughtexchange* online forum to be scheduled
- Website Content Management System updating
- [Reader-friendly version of Strategic Plan scorecard created](#)
- Expanded social media presence



[2020 Vision website](#): video podcasts, full reports, scorecard, etc.

*What Questions  
Do You Have  
?*

To: Board of Education  
 Dr. Laurie Heinz, Superintendent

From: Mary Jane Warden, Director of Innovation & Instructional Technology  
 Luann Kolstad, Chief School Business Official

Date: February 21, 2017

Re: E-Rate Update

District 64 technology department is engaged in two different projects under the E-Rate umbrella: Wide Area Network (WAN) optimization and category 2 WiFi. An explanation of each project is included in this memo as background only. The goal this evening is to introduce the research being undertaken on both these topics, and provide an opportunity to answer any questions the Board may have about this work.

### **PART 1: WIDE AREA NETWORK (WAN) OPTIMIZATION PROJECT**

District 64 has a wide area network (WAN) that interconnects eight of its locations as part of our enterprise network (the connection between Emerson and Jefferson is owned and managed by the District). The District has a dedicated private point-to-point 1GB wide area network (WAN) with Windstream with 1GB handoffs (copper) between locations. The monthly cost is \$7,491.86 per month. This school year marks the end of the District's current 3-year contract with Windstream, which has been the District's carrier since November 2008. Our current service contract ends June 30, 2017.

#### **Objectives of the WAN Project**

The D64 Network Team – Gorman Christian, Janice Santos, Dan Pacurar, and Mary Jane Warden – has listed priorities for this next generation of the District's WAN to incorporate short-term and long-term goals. Ultimately, the District would like to enhance WAN optimization with these objectives:

1. Maintain infrastructure controls
2. Long-term cost containment and stability (looking out 10 years)
3. Increase resiliency and flexibility in our network design to support services in varying conditions

#### **1 - Maintain Infrastructure Controls**

The District is prioritizing solutions that have the fewest points of failure with as many as possible under their control. This greatly increases our ability to address issues and respond faster.

#### **2 - Long-Term Cost Containment and Stability**



This is the opportunity for the District to survey the marketplace and adjust expenditures to meet better efficiencies and demands of service. In this aspect of long-term cost containment and stability, we aimed to achieve low-price stability in a long-term, 10-year timespan, while capitalizing on market savings since our last contract.

### **3 - Increase WAN Network Resiliency and Flexibility**

The District is taking this opportunity to increase resiliency and flexibility into our network infrastructure. Now that the District has implemented network enhancements (Summer 2015) and expanded our Internet bandwidth (Summer 2016), the next layer in our network infrastructure is the wide area network (WAN). At this juncture, the District would like to increase baseline speeds and efficiencies with 10G handoffs between locations in the current hub-spoke configuration. Then 5 to 10-years down the line, when the District investigates the option of increasing bandwidth for Internet service, our network can adjust to the enhancements without additional cost or work necessary to bring both speeds and efficiencies right to the end-user level. At this juncture, the District can also work into the infrastructure design a possible second hub-spoke to begin implementation of a failover plan. This configuration affords the District the greatest ability to respond to enterprise demands, environmental changes, or future expansion opportunities.

### **E-Rate Process for the WAN Optimization Project and Timeline**

The District engaged in the E-Rate process and posted a Form 470 outlining the District's interests in November 2016. In December and January 2017, the District collected proposals for the WAN optimization project. We will bring forward our recommendation to Superintendent Heinz and the Board of Education at the March 13 regular meeting.

## **PART 2: CATEGORY 2 WI-FI UPGRADE PLAN**

In 2014 on-campus broadband connectivity was a major element of E-Rate reform. In the redesign of the E-Rate funding program, federal monies were allocated to schools for this purpose and called Category 2 discounts. E-Rate applicants could then leverage program discounts to increase broadband connectivity for internal network infrastructures. Category 2 (or C2) discounts are calculated through a given formula based on a matrix which depends on enrollment and the total number of students eligible for free and reduced lunch. Over a 5-year period, beginning in FY2015, each site (or school building) can receive discounts up to a pre-defined budget amount based on enrollment and are capped at that amount. District 64's discount has been calculated to be \$150 per student.

In its inception, the Category 2 budget system was created as a two-year pilot program for FY2015 and FY2016. There was no guarantee outlined as to how Category 2 funds would be allocated and prioritized from FY2017 and beyond. This past fall 2016, the District received information from our E-Rate consultant, John Hughes from New Hope Tech Foundation, that

Category 2 was being funded for FY2017. With that notification, the D64 Network Team designed a plan to upgrade the wireless infrastructure to: (1) alleviate the bottleneck at the access point level, (2) capitalize at our increased bandwidth and soon-to-be WAN optimization and (3) establish load balancing and redundancy through a second Wi-Fi controller. There are no assurances that C2 E-Rate funding will continue. As a result, we believe it is in the best interest of the District to proceed with this C2 Wi-Fi upgrade project at this present time.

District 64’s allotment for Category 2 funding is capped at **\$473,726**.

**Wi-Fi Current Condition**

The District performed the last significant wifi network upgrade in the summer of 2013. This project improved the District’s Aruba network with a more modern 7200 series wireless controller and upgraded a majority of access points from 802.11 a/b/g to the n-standard with the Aruba 135 model at the middle schools. Those middle school access points were then moved to the elementary schools to expand the Wi-Fi coverage. All the elementary schools and the ESC still have the oldest Aruba 105 model access points, which is technology dating back to 2009 when the n-standard was established. At the time, this was to ready the network infrastructure for the possibility of a 1:1 device rollout for students.

Since 2013, the District completed a network enhancement project in the summer of 2015, which addressed many of the switches and the router, establishing a stronger foundation for our VoIP communications network to be built upon. These switches now have the capacity to handle up to 80GB of throughput. Right now the switches are connected to each other via 1GB links. Most recently in the summer of 2016, the District was able to experience the cost benefits of a 1GB bandwidth pipe (four times what was there previously) having transitioned to *WOW! Business Solutions* as our Internet service provider. Throughout last summer and this school year, Gorman Christian has been reconfiguring the Wi-Fi switches to connect at 10GB. This Category 2 Wi-Fi project will continue the next segment of this work. This resets the life expectancy of the network backbone to approximately 10 years.

After the switch reconfiguration, the network speed bottleneck will be at the access points level. To alleviate this bottleneck and provide the fastest data speeds to the District 64 user experience, the access points will need to be upgraded. This is the focal point of the Category 2 Wi-Fi Upgrade plan.

**Chart: Proposed Category 2 WiFi Upgrades**

| Current Wi-Fi Infrastructure | Proposed C2 Wi-Fi Upgrade Project | Performance Outcomes                 |
|------------------------------|-----------------------------------|--------------------------------------|
| • Single Aruba 7210          | • Additional Aruba 7210           | • Load balance and reduce congestion |

|   |   |   |
|---|---|---|
| controller  | controller  | <ul style="list-style-type: none"> <li>• Redundancy - if one goes down, all AP's will failover to the other</li> <li>• Enhanced AirWatch feature through Mobility Master</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Aruba 105 series 802.11abgn (up to 300mb) with 2x2 antennas at elementaries and ESC</li> <li>• Aruba 135 series 802.11n Access Points (up to 450mb) with 3x3 antennas at middle schools</li> </ul> | <ul style="list-style-type: none"> <li>• Aruba 315 series 802.11ac Wave 2 Access Points (up to 1.7GB)</li> <li>• Aruba 335 series 802.11ac Wave 2 Access Points (up to 2.5GB)</li> <li>• 4 dual-band 4x4 MIMO Antennas</li> </ul> | <ul style="list-style-type: none"> <li>• Majority of District equipment is 802.11ac compatible already</li> <li>• Increase reliability at high device densities</li> <li>• Boost network efficiency</li> <li>• Greater stability against signal interference</li> <li>• Better performance at the device level</li> </ul> |

We estimate that the proposed work described above would total \$350,000. The District 64 Network Team recommends that the District seize this opportunity to upgrade and expand the Wi-Fi infrastructure while Category 2 E-Rate funds can help offset associated costs for continuing to improve our network. Therefore, the investment for the 2017-18 school year would be \$350,000 (out of our E-Rate capped total of **\$473,726**), which would be fully paid back in the fall of 2018 through this designated Category 2 funding. The remaining \$123,726 available to District 64 for reimbursement under the E-Rate cap would be budgeted and used to provide further internal network infrastructure work during the 2018-19 school year.

District 64 intends to move forward to seek bids for the WiFi upgrades noted above, which would be brought to the Board for approval later this spring.

To: Board of Education  
Dr. Laurie Heinz, Superintendent

From: Luann Kolstad, Chief School Business Official

Date: February 21, 2017

Subject: Discussion of 2017-18 Student Fees

**Background**

During the discussion of school fees for the 2016-17 school year, the Board requested that administration change the format of the annual Student Fees flyer to provide more detail on how student fee revenues are used to support education. The first page of the document provides a visual pie chart representation of the major categories of expenditures covered by student fees for both elementary and middle school students. The second and third pages provide a comprehensive list of expenses that the Board may legally charge as student fees and a cost per student for each expense category. The pie charts are color-coded to match the descriptions on the in-depth fee sheets for easier understanding.

Administration has updated the flyer for 2017-18 student fees using the same format. Expense figures have been updated to reflect the budget adopted for the 2016-17 school year. Enrollment figures have been updated, too. (Attachment 1) Once the Board approves the 2017-18 student fees, we will update the District website with the new documents. We will also continue to include this information in the InfoSnap online registration form that will be available beginning in April.

This year's in-depth analysis of student fees show that at the Elementary and Middle School Levels, fees paid by parents/guardians cover 37% and 51% respectively, of the total expenditures that the Board may legally charge as student fees. Park Ridge-Niles District 64 taxpayers, therefore, are paying 63% and 49% respectively, of the expenditures that can be allocated as student fees.

Administration is recommending keeping all student fees the same for 2017-18 with the exception of increasing the volleyball fee by \$25 to \$100 per student so as to match the fee being charged for other Interscholastic sports. The coaches have requested this increase so that it includes the full cost of participation, rather than asking parents belatedly for additional monies for required team gear (socks and T-shirt). The new fee sheet is attached for your review (Attachment 2).

The approval of student fees will be at the March 13, 2017 Board of Education meeting. Administration will bring the Preschool fees and Extended Day Kindergarten fees for review and approval at the March 13, 2017 meeting. There are no anticipated changes for this year. Lunch fees will be approved when a vendor for hot lunch is selected later in the spring.



## What makes up required 2017-18 student fees?

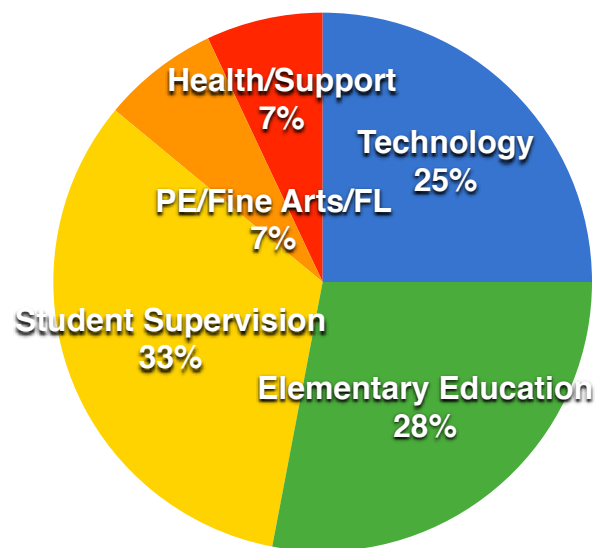
As guided by Illinois law, District 64 charges an annual student fee to support learning by *partially* offsetting expenses for instructional materials, supplies and technology. Student fees have remained the same for 9 years.

Student fees do *not* cover salaries to deliver education, such as teachers and teacher assistants, or for other staff, such as office/health assistants, custodians, principals, or District administration. The only staff salaries that can be included in fees are for student supervision.

### ELEMENTARY SCHOOL: \$606 value provided for \$227 fee

- ◆ Students receive materials, supplies and technology valued at \$606.
- ◆ The student fee for grades 1-5 is \$227.
- ◆ The cost split is 37% paid by parents of current students and 63% carried in the District's budget paid by all local property taxpayers.

Elementary School: \$606 Value

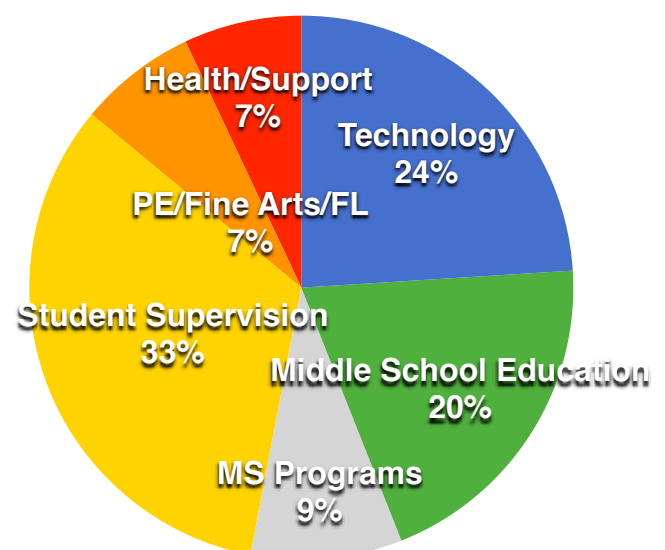


Please refer to the accompanying fee list on pages 2 and 3 for a detailed breakdown by each expense category. Pie chart colors correspond to the fee list.

### MIDDLE SCHOOL: \$618 value provided for \$315 fee

- ◆ Students receive materials, supplies and technology valued at \$618.
- ◆ The student fee for grades 6-8 is \$315.
- ◆ The cost split is 51% paid by parents of current students and 49% carried in the District's budget paid by all local property taxpayers.

Middle School: \$618 Value



**Park Ridge Niles School District 64  
2015-16 Fee Breakdown**

Note: Fee list colors correspond to pie charts on page 1

| Function    | Description  | 2016-17<br>Adopted<br>Budget<br>Expenses | Grant<br>Revenues<br>(Deduct) | Extra Fees<br>Received<br>(Deduct) | Total by<br>Function | Cost per              |                             | Enrollment |
|-------------|--|--|-------------------------------|------------------------------------|----------------------|-----------------------|-----------------------------|------------|
|             |  |  |                               |                                    |                      | Elementary<br>Student | Middle<br>School<br>Student |            |
|             |  |  |                               |                                    |                      | 2,931                 | 1,524                       |            |
| <b>2225</b> | <b>Student Technology:</b>   |  |                               |                                    | \$ 669,960           | \$ 150                | \$ 150                      |            |
|             | - Chromebooks (new devices, licenses, cases, etc.)                 | \$ 160,000                               |                               |                                    |                      |                       |                             |            |
|             | - I pads (new devices and cases)                                   | \$ 154,500                               |                               |                                    |                      |                       |                             |            |
|             | - Classroom projectors   | \$ 140,560                               |                               |                                    |                      |                       |                             |            |
|             | - Equipment (locking charge carts)                                 | \$ 214,900                               |                               |                                    |                      |                       |                             |            |
| <b>1110</b> | <b>Elementary Education (K-5 Grade):</b>                           |  |                               |                                    | \$ 496,725           | \$ 169                |                             |            |
|             | - Online licenses/subscriptions                                    | \$ 107,360                               |                               |                                    |                      |                       |                             |            |
|             | - Math supplies (workbooks, licenses, activity kits, etc.)         | \$ 5,000                                 |                               |                                    |                      |                       |                             |            |
|             | - Language arts supplies (reading texts, novels, etc.)             | \$ 1,000                                 |                               |                                    |                      |                       |                             |            |
|             | - Science supplies (science kits, lab supplies, curric materials)  | \$ 125,000                               |                               |                                    |                      |                       |                             |            |
|             | - Social studies supplies (update maps and globes)                 | \$ 4,550                                 |                               |                                    |                      |                       |                             |            |
|             | - Office and classroom supplies and student planners               | \$ 64,000                                |                               |                                    |                      |                       |                             |            |
|             | - Consumables and workbooks  | \$ 1,725                                 |                               |                                    |                      |                       |                             |            |
|             | - Textbooks and teacher materials                                  | \$ 172,590                               |                               |                                    |                      |                       |                             |            |
|             | - Magazine subscriptions   | \$ 15,500                                |                               |                                    |                      |                       |                             |            |
| <b>1120</b> | <b>Middle School Education (6-8 Grade):</b>                        |  |                               |                                    | \$ 161,200           |                       | \$ 106                      |            |
|             | - Online licenses/subscriptions                                    | \$ 38,100                                |                               |                                    |                      |                       |                             |            |
|             | - Repair/maintenance of classroom equipment                        | \$ 2,700                                 |                               |                                    |                      |                       |                             |            |
|             | - Math supplies (workbooks, licenses, activity kits, etc.)         | \$ 2,100                                 |                               |                                    |                      |                       |                             |            |
|             | - Language arts supplies (reading texts, novels, etc.)             | \$ 6,200                                 |                               |                                    |                      |                       |                             |            |
|             | - Social studies supplies (maps, posters, reading materials, etc.) | \$ 3,500                                 |                               |                                    |                      |                       |                             |            |
|             | - Science lab supplies   | \$ 34,300                                |                               |                                    |                      |                       |                             |            |
|             | - Office and classroom supplies and student planners               | \$ 41,300                                |                               |                                    |                      |                       |                             |            |
|             | - Textbooks and teacher materials                                  | \$ 28,600                                |                               |                                    |                      |                       |                             |            |
|             | - Magazine subscriptions   | \$ 4,400                                 |                               |                                    |                      |                       |                             |            |
| <b>2190</b> | <b>Graduation Expenses:</b>  |  |                               |                                    | \$ 23,000            |                       | \$ 15                       |            |
|             | - Facility rentals   | \$ 1,000                                 |                               |                                    |                      |                       |                             |            |
|             | - Printing expenses (brochures and ceremony materials)             | \$ 8,000                                 |                               |                                    |                      |                       |                             |            |
|             | - Supplies (diplomas, gowns, etc.)                                 | \$ 14,000                                |                               |                                    |                      |                       |                             |            |
| <b>2550</b> | <b>Transportation:</b>   |  |                               |                                    | \$ 6,000             | \$ 1                  | \$ 1                        |            |
|             | - Curriculum-related field trips                                   | \$ 6,000                                 |                               |                                    |                      |                       |                             |            |
| <b>1410</b> | <b>Industrial Arts:</b>  |  |                               |                                    | \$ 41,500            |                       | \$ 27                       |            |
|             | - Repair/maintenance of wood shop equipment                        | \$ 1,130                                 |                               |                                    |                      |                       |                             |            |
|             | - Supplies for wood shop class projects                            | \$ 35,670                                |                               |                                    |                      |                       |                             |            |
|             | - Capital Equipment >\$1,500                                       | \$ 4,700                                 |                               |                                    |                      |                       |                             |            |
| <b>1412</b> | <b>Family &amp; Consumer Science:</b>                              |  |                               |                                    | \$ 30,865            |                       | \$ 20                       |            |
|             | - Instructional Professional Services                              | \$ 1,650                                 |                               |                                    |                      |                       |                             |            |
|             | - Repair/maintenance of sewing machines, cooking equipment         | \$ 3,000                                 |                               |                                    |                      |                       |                             |            |
|             | - Classroom supplies (food, cookware, sewing materials, etc.)      | \$ 26,215                                |                               |                                    |                      |                       |                             |            |
| <b>1510</b> | <b>After School Clubs:</b>   |  |                               |                                    | \$ 17,150            |                       | \$ 11                       |            |
|             | - Club supplies  | \$ 17,150                                |                               |                                    |                      |                       |                             |            |
| <b>1520</b> | <b>Athletics:</b>  |  |                               |                                    | \$ 2,640             |                       | \$ 2                        |            |
|             | - Referees and score keepers                                       | \$ 7,240                                 |                               | -\$ 7,240                          |                      |                       |                             |            |
|             | - Supplies (uniforms, scorebooks, balls, etc.)                     | \$ 4,500                                 |                               | -\$ 4,500                          |                      |                       |                             |            |
|             | - Tournament fees  | \$ 2,900                                 |                               | -\$ 2,900                          |                      |                       |                             |            |
|             | - Transportation to athletic events                                | \$ 13,000                                |                               | -\$ 10,360                         |                      |                       |                             |            |
| <b>1530</b> | <b>Intramurals</b>   |  |                               |                                    | \$ -                 |                       | \$ -                        |            |
| <b>2191</b> | <b>Student Supervision:</b>  |  |                               |                                    | \$ 904,706           | \$ 203                | \$ 203                      |            |
|             | - Lunchroom Supervision  | \$ 692,140                               |                               |                                    |                      |                       |                             |            |
|             | - Outside Supervision  | \$ 199,164                               |                               |                                    |                      |                       |                             |            |
|             | - Employee benefits  | \$ 7,402                                 |                               |                                    |                      |                       |                             |            |
|             | - Supplies (disinfecting wipes, recess equipment, etc.)            | \$ 6,000                                 |                               |                                    |                      |                       |                             |            |

**Park Ridge Niles School District 64  
2015-16 Fee Breakdown**

Note: Fee list colors correspond to pie charts on page 1

| Function           | Description  | 2016-17<br>Adopted<br>Budget<br>Expenses | Grant<br>Revenues<br>(Deduct) | Extra Fees<br>Received<br>(Deduct) | Total by<br>Function | Cost per<br>Elementary<br>Student | Cost per<br>Middle<br>School<br>Student |
|--------------------|--|--|-------------------------------|------------------------------------|----------------------|-----------------------------------|---|
| <b>1113</b>        | <b>Art Program:</b>  |  |                               |                                    | \$ 67,256            | \$ 15                             | \$ 15                                   |
|                    | - Repair/maintenance of classroom equipment                          | \$ 1,500                                 |                               |                                    |                      |                                   |   |
|                    | - Project supplies (paint, glaze, glue, ink, clay, yarn, etc.)       | \$ 65,756                                |                               |                                    |                      |                                   |   |
| <b>1114</b>        | <b>Band/Orchestra Program:</b>                                       |  |                               |                                    | \$ 5,000             | \$ 1                              | \$ 1                                    |
|                    | - Instructional professional services                                | \$ 3,450                                 |                               | -\$ 3,450                          |                      |                                   |   |
|                    | - Online licenses/subscriptions                                      | \$ 10,000                                |                               | -\$ 10,000                         |                      |                                   |   |
|                    | - Repair/maintenance of musical equipment                            | \$ 3,500                                 |                               |                                    |                      |                                   |   |
|                    | - Classroom supplies (music stands, sheet music, etc.)               | \$ 9,200                                 |                               | -\$ 9,200                          |                      |                                   |   |
|                    | - Music instruments/equipment over \$1,500                           | \$ 10,000                                |                               | -\$ 10,000                         |                      |                                   |   |
|                    | - Professional membership fees/dues                                  | \$ 2,000                                 |                               | -\$ 500                            |                      |                                   |   |
|                    | - Transportation to performances                                     | \$ 3,850                                 |                               | -\$ 3,850                          |                      |                                   |   |
| <b>1115</b>        | <b>General Music:</b>  |  |                               |                                    | \$ 33,621            | \$ 8                              | \$ 8                                    |
|                    | - Repair/maintenance of pianos/musical equipment                     | \$ 6,000                                 |                               |                                    |                      |                                   |   |
|                    | - Classroom supplies (recorders, keyboards, guitars, etc.)           | \$ 27,621                                |                               |                                    |                      |                                   |   |
| <b>1116</b>        | <b>Physical Education Program:</b>                                   |  |                               |                                    | \$ 55,500            | \$ 12                             | \$ 12                                   |
|                    | - Towel cleaning service   | \$ 11,000                                |                               |                                    |                      |                                   |   |
|                    | - Online licenses/subscriptions                                      | \$ 2,300                                 |                               |                                    |                      |                                   |   |
|                    | - Repair/maintenance of fitness equipment                            | \$ 2,000                                 |                               |                                    |                      |                                   |   |
|                    | - Equipment rentals (roller skates)                                  | \$ 7,700                                 |                               |                                    |                      |                                   |   |
|                    | - Sporting goods supplies, equipment, P.E. uniforms                  | \$ 32,500                                |                               |                                    |                      |                                   |   |
| <b>1117</b>        | <b>Chorus Program:</b>   |  |                               |                                    | \$ 600               | \$ 0                              | \$ 0                                    |
|                    | - Transportation to performances                                     | \$ 2,000                                 |                               | -\$ 1,400                          |                      |                                   |   |
| <b>1119</b>        | <b>Foreign Language Program:</b>                                     |  |                               |                                    | \$ 20,900            | \$ 5                              | \$ 5                                    |
|                    | - Textbooks and workbooks  | \$ 20,100                                |                               |                                    |                      |                                   |   |
|                    | - Classroom supplies   | \$ 800                                   |                               |                                    |                      |                                   |   |
| <b>1111</b>        | <b>Response to Intervention (Education for Struggling Students):</b> |  |                               |                                    | \$ 14,940            | \$ 3                              | \$ 3                                    |
|                    | - Online licenses/subscriptions                                      | \$ 7,200                                 |                               |                                    |                      |                                   |   |
|                    | - Classroom supplies/textbooks/workbooks                             | \$ 7,740                                 |                               |                                    |                      |                                   |   |
|                    | - Summer school enrichment tuition                                   | \$ 9,000                                 | -\$ 9,000                     |                                    |                      |                                   |   |
| <b>1200</b>        | <b>Special Education Program:</b>                                    |  |                               |                                    | \$ 146,300           | \$ 33                             | \$ 33                                   |
|                    | - Professional consulting services                                   | \$ 30,000                                |                               |                                    |                      |                                   |   |
|                    | - Online Subscriptions   | \$ 39,000                                | -\$ 3,000                     |                                    |                      |                                   |   |
|                    | - Classroom supplies, materials, and equipment                       | \$ 123,800                               | -\$ 43,500                    |                                    |                      |                                   |   |
| <b>1413</b>        | <b>Health Program:</b>   |  |                               |                                    | \$ 5,422             | \$ 1                              | \$ 1                                    |
|                    | - Textbooks and teacher manuals                                      | \$ 2,728                                 |                               |                                    |                      |                                   |   |
|                    | - Magazine subscriptions   | \$ 594                                   |                               |                                    |                      |                                   |   |
|                    | - Classroom supplies and materials                                   | \$ 2,100                                 |                               |                                    |                      |                                   |   |
| <b>1650</b>        | <b>Channels of Challenge:</b>  |  |                               |                                    | \$ 16,050            | \$ 4                              | \$ 4                                    |
|                    | - Instructional Professional Services                                | \$ 1,000                                 |                               |                                    |                      |                                   |   |
|                    | - Supplies (calculators, teaching materials, graph pads, etc.)       | \$ 1,850                                 |                               |                                    |                      |                                   |   |
|                    | - Testing materials  | \$ 6,000                                 |                               |                                    |                      |                                   |   |
|                    | - Textbooks  | \$ 7,200                                 |                               |                                    |                      |                                   |   |
| <b>1800</b>        | <b>Bilingual Program:</b>  |  |                               |                                    | \$ 500               | \$ 0                              | \$ 0                                    |
|                    | - Supplies (dictionary cards, language review materials, etc.)       | \$ 500                                   |                               |                                    |                      |                                   |   |
| <b>Total Costs</b> |  | <b>\$ 2,838,735</b>                      | <b>-\$ 55,500</b>             | <b>-\$ 63,400</b>                  | <b>\$ 2,719,835</b>  | <b>\$ 606</b>                     | <b>\$ 618</b>                           |
|                    |  |  |                               | Fee Charged                        | \$ 227               | \$ 315                            |   |
|                    |  |  |                               | Student Share                      | 37%                  | 51%                               |   |
|                    |  |  |                               | District Share                     | 63%                  | 49%                               |   |

Note: Student fees are deposited in the Education Fund, which is the origin of all itemized fee-related expenses shown above except transportation. Per the Illinois Program Accounting Manual, all transactions not accommodated by another fund shall be recorded in the Education Fund.

**Park Ridge Niles Community Consolidated School District 64**  
**2017-18 School Fees**

|   | 2016-17 | Proposed<br>2017-18 | \$<br>Change | %<br>Change | <i>Comments</i>  |
|---|---------|---------------------|--------------|-------------|------------------|
| <b>Required Fees</b>  |         |                     |              |             |                  |
| Preschool/Kindergarten  | \$84    | \$84                | \$0          | 0.0%        |                  |
| Elementary Grades 1-5   | \$227   | \$227               | \$0          | 0.0%        |                  |
| Middle School   | \$315   | \$315               | \$0          | 0.0%        |                  |
| <b>Participatory Fees</b>   |         |                     |              |             |                  |
| Instrumental Music  |         |                     |              |             |                  |
| Beginner  | \$40    | \$40                | \$0          | 0.0%        |                  |
| Advanced  | \$40    | \$40                | \$0          | 0.0%        |                  |
| Chorus - Elementary   | \$5     | \$5                 | \$0          | 0.0%        |                  |
| Chorus - Middle School  | \$15    | \$15                | \$0          | 0.0%        |                  |
| Chromebook Maintenance  |         |                     |              |             |                  |
| Elementary (Grades 3-5)   | \$30    | \$30                | \$0          | 0.0%        | <i>Mandatory</i> |
| Middle School   | \$30    | \$30                | \$0          | 0.0%        | <i>Mandatory</i> |
| Athletics   |         |                     |              |             |                  |
| Basketball  | \$100   | \$100               | \$0          | 0.0%        |                  |
| Wrestling   | \$100   | \$100               | \$0          | 0.0%        |                  |
| Volleyball  | \$75    | \$100               | \$25         | 33.3%       |                  |
| Cross Country   | \$25    | \$25                | \$0          | 0.0%        |                  |
| <b>Bus Fees</b> ( <i>State Reimbursement does not cover the cost of students who are transported and reside within 1 1/2 miles of the attendance center</i> ) |         |                     |              |             |                  |
| All Year  | \$510   | \$510               | \$0          | 0.0%        |                  |
| Cold Weather  | \$305   | \$305               | \$0          | 0.0%        |                  |



Board Authorizes 2017-18 Staffing Plan

At the February 6, 2017 Committee-of-the-Whole: Finance Assistant Superintendent for Human Resources Joel Martin and Assistant Chief School Business Official Brian Imhoff presented the 2017-18 Staffing Plan (Attachment 1) to the Board of Education. There were no changes to the presentation from that meeting.

ACTION ITEM 17-02-6

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the recommended 2017-18 Staffing Plan presented and discussed at the February 6, 2017 Committee-of-the-Whole: Finance Board of Education meeting.

The votes were cast as follows:

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

AYES:

NAYS:

PRESENT:

ABSENT:

To: Board of Education  
Laurie Heinz, Superintendent

From: Luann Kolstad, Chief School Business Official  
Joel Martin, Assistant Superintendent for Human Resources  
Brian Imhoff, Assistant Chief School Business Official

Date: February 6, 2017

Subject: Enrollment Projections for 2017-18 School Year and Discussion on Staffing 2017-18

### **Background on Enrollment Projection Methods**

Projecting student enrollment is the first step in predicting staffing needs for the upcoming 2017–2018 school year. In previous years the District used the rollover method for projecting enrollment. The rollover method moves all students currently enrolled into the next grade level for the upcoming school year and assumes the incoming kindergarten class will be the same size as the current kindergarten class. Last year the District began using a new method called the cohort survival method. The cohort survival method is a more reliable projection than a straight rollover projection because it takes into account live birth data and previous enrollment experience to determine whether enrollment will increase or decrease each year.

It's important to remember that every set of enrollment projections contains many assumptions that could cause actual enrollment to vary. The cohort survival method does not take into account the current housing market, new building developments, or community age demographics. However, it is a relatively easy, cost-free method that allows District administration to update projections annually.

### **Explanation of the Cohort Survival Method**

Here is a quick recap of how the cohort survival method works. A cohort is a group of students within a grade level (e.g. kindergarten). The model projects increases or decreases to the enrollment of the cohort as it advances to each subsequent grade level by averaging the increases or decreases of cohorts at the same grade level in previous years.

### **Projecting Kindergarten Enrollment**

The most difficult part of each year's enrollment projection is predicting the kindergarten cohort. The District uses live birth data from the Cook County Department of Public Health for the zip codes served by the District (60068 and 60714). The number of births is compared to the number of kindergarten students that enroll in the District five years later to calculate an average enrollment percentage. The five-year lag between a child's birth and enrollment in the District is very important.

Since Cook County is consistently late in publishing live birth data, the District does not always have the information needed to predict kindergarten enrollments more than 2-3 years into the future.

**District 64 Trends**

The District developed the current projections by using ten years of historical enrollment data. There were certainly some years that were outliers, but in general, the District experiences the following enrollment trends:

- An increase in enrollment of about 12% between kindergarten and 1st grade
- An increase in enrollment of about 4% between 1st and 2nd grade
- An increase in enrollment of between 1% and 3% for remaining grades

Even though all of these trends indicate enrollment increases, there is still potential for a decrease in total enrollment if the incoming kindergarten cohort is smaller than the graduating 8th grade cohort it is replacing.

**Recap of Prior Year Projections**

A summary of the 2016-17 enrollment projections using the cohort survival method versus the rollover method is shown below.

|                | 2016-17<br>6th Day of<br>Attendance | Cohort<br>Survival<br>Projection | Cohort<br>Survival<br>Variance | Rollover<br>Method<br>Projection | Rollover<br>Method<br>Variance |
|----------------|-------------------------------------|----------------------------------|--------------------------------|----------------------------------|--------------------------------|
| Enrollment     | 4,428                               | 4,366                            | -62                            | 4,254                            | -174                           |
| Class Sections | 187                                 | 188                              | +1                             | 185                              | -2                             |

While no enrollment model will ever be perfect, the cohort survival method was a significant improvement over the old rollover method. A closer look at the data indicates that a large fluctuation of families with school-age children have moved into the District within the last five years. This is evident by the ratio of enrolled kindergarten students to live births increasing 10-15% during that same timeframe. The District’s kindergarten enrollment prediction in 2016-17 was too low by 43 students because the current cohort survival model uses ten years worth of enrollment history. If the same trend of families moving into the District continues again this year, the model will need to be modified to use fewer years of historical enrollment in the projection.

**Reduction in Force**

In preparation of the 2017–18 budget, the administration is continually analyzing staffing needs. This always includes a review of current staffing for efficiencies with an understanding that any proposed changes in certified and/or classified staff will be made in accordance with collective bargaining agreements (CBAs), the Illinois School Code, and any other applicable state and federal laws. Actual

employment, dismissals or reductions in force of staff occur when the Board of Education approves personnel reports in the consent agenda or is asked to pass specific resolutions as an action item (e.g. reduction in force resolutions). By law, Reduction in Force (RIF) for certified staff must occur seventy-five days prior to the end of the school year.

With the exception of staff listed on the attached chart, it is anticipated that all other current positions will be factored into the 2017-18 school budget.

### **2017-18 Enrollment Projections**

The District's enrollment projections anticipate an increase of 45 students and four additional sections for the 2017-18 school year (one at Field, two at Roosevelt, and one at Emerson). Additionally, there are four "bubble sections" that are within three students of exceeding the class size guideline. A "bubble section" is a cohort of students at a particular building with the potential of exceeding the class size guideline prior to the start of the school year. Historically, if a "bubble section" does exceed the class size guideline prior to the start of the school year, the District opens another section and hires a teacher. The result of adding a new section at a specific grade level in turn, results in the addition of a special section (Art, Music, P.E., Spanish) which may require additional staff or an increase in Full Time Equivalent (F.T.E.) in one or more of those areas.

As in past years the administration is requesting authorization from the Board of Education to hire the appropriate staff should the need arise due to enrollment changes at a particular grade level that exceed class size guidelines (bursting of a "bubble). Please note that the administration does not move forward with the hiring of any staff member until all students in the particular cohort that has exceeded the class size guideline have proven residency and completed the enrollment process. As always, once the registration period begins for the 2017-18 school year, the District will be better able to determine if any additional staff is required.

As noted in Attachment 1, the administration is not recommending the hiring of any additional staff due to changes in programs or services for 2017-18. The only staffing changes we foresee at this time are those resulting from fluctuations in enrollment.

Since the enrollment projections are calling for an increase in both enrollment and sections for the 2017-18 school year, administration will not be recommending a RIF of K-8 teachers strictly based on enrollment projections. However, the District may need to RIF teachers to account for staff returning from leaves, returning to full-time from part-time, the end of job-shares, or changes in enrollment in other programs. Annually the District releases its entire non-tenured part-time staff, as we are unable to identify at this time if there will be a need for part-time staff for the 2017-18 school year. As a reminder if the District does not dismiss this group of employees the District would be obligated to rehire them at the same part-time F.T.E. status for the upcoming school year.

**Park Ridge-Niles School District 64**  
**2017-18 Enrollment/Section Projections with Average Class Size**  
**Cohort Survival Method**

|                             | K     | 1     | 2     | 3     | 4     | 5     | 6     | 7     | 8     | Totals  |         |        |
|-----------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------|---------|--------|
| <i>Class Size Guideline</i> | 22    | 24    | 24    | 26    | 26    | 28    | 28    | 28    | 28    |         |         |        |
|                             |       |       |       |       |       |       |       |       |       | 2017-18 | 2016-17 | Change |
| <b>Carpenter</b>            | 64    | 82    | 68    | 85    | 77    | 87    |       |       |       | 463     | 460     | 3      |
| Sections                    | 3     | 4     | 3     | 4     | 3     | 4     |       |       |       | 21      | 21      | 0      |
| Avg Class Size              | 21.33 | 20.50 | 22.67 | 21.25 | 25.67 | 21.75 |       |       |       |         |         |        |
| <b>Field</b>                | 92    | 123   | 104   | 100   | 128   | 122   |       |       |       | 669     | 665     | 4      |
| Sections                    | 5     | 6     | 5     | 4     | 5     | 5     |       |       |       | 30      | 29      | 1      |
| Avg Class Size              | 18.40 | 20.50 | 20.80 | 25.00 | 25.60 | 24.40 |       |       |       |         |         |        |
| <b>Franklin</b>             | 68    | 84    | 88    | 94    | 82    | 81    |       |       |       | 497     | 511     | -14    |
| Sections                    | 4     | 4     | 4     | 4     | 4     | 3     |       |       |       | 23      | 23      | 0      |
| Avg Class Size              | 17.00 | 21.00 | 22.00 | 23.50 | 20.50 | 27.00 |       |       |       |         |         |        |
| <b>Roosevelt</b>            | 91    | 110   | 102   | 134   | 97    | 142   |       |       |       | 676     | 670     | 6      |
| Sections                    | 5     | 5     | 5     | 6     | 4     | 6     |       |       |       | 31      | 29      | 2      |
| Avg Class Size              | 18.20 | 22.00 | 20.40 | 22.33 | 24.25 | 23.67 |       |       |       |         |         |        |
| <b>Washington</b>           | 88    | 100   | 125   | 98    | 119   | 109   |       |       |       | 639     | 625     | 14     |
| Sections                    | 4     | 5     | 6     | 4     | 5     | 4     |       |       |       | 28      | 28      | 0      |
| Avg Class Size              | 22.00 | 20.00 | 20.83 | 24.50 | 23.80 | 27.25 |       |       |       |         |         |        |
| <b>Emerson</b>              |       |       |       |       |       |       | 299   | 288   | 267   | 854     | 815     | 39     |
| Sections                    |       |       |       |       |       |       | 11    | 11    | 10    | 32      | 31      | 1      |
| Avg Class Size              |       |       |       |       |       |       | 27.18 | 26.18 | 26.70 |         |         |        |
| <b>Lincoln</b>              |       |       |       |       |       |       | 211   | 247   | 244   | 702     | 709     | -7     |
| Sections                    |       |       |       |       |       |       | 8     | 9     | 9     | 26      | 26      | 0      |
| Avg Class Size              |       |       |       |       |       |       | 26.38 | 27.44 | 27.11 |         |         |        |
| <b>Total Students</b>       | 403   | 499   | 487   | 511   | 503   | 541   | 510   | 535   | 511   | 4,500   | 4,455   | 45     |
| <b>Total Sections</b>       | 21    | 24    | 23    | 22    | 21    | 22    | 19    | 20    | 19    | 191     | 187     | 4      |
| 2016-17 Sections            | 22    | 21    | 23    | 21    | 23    | 20    | 20    | 19    | 18    |         |         |        |
| Change                      | -1    | 3     | 0     | 1     | -2    | 2     | -1    | 1     | 1     |         |         |        |

## DISTRICT-WIDE ENROLLMENT PROJECTIONS

| School Year | K   | 1   | 2   | 3   | 4   | 5   | 6   | 7   | 8   | Total | Change from Prior |
|-------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-------------------|
| 2016-17     | 444 | 468 | 500 | 489 | 534 | 496 | 529 | 509 | 486 | 4,455 |                   |

### Projected:

|         |     |     |     |     |     |     |     |     |     |       |     |
|---------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-----|
| 2017-18 | 403 | 499 | 487 | 511 | 503 | 541 | 510 | 535 | 511 | 4,500 | 45  |
| 2018-19 | 407 | 454 | 518 | 497 | 526 | 510 | 556 | 517 | 537 | 4,522 | 22  |
| 2019-20 | 452 | 459 | 472 | 529 | 512 | 532 | 524 | 563 | 519 | 4,562 | 40  |
| 2020-21 | 414 | 510 | 477 | 482 | 545 | 518 | 547 | 531 | 565 | 4,589 | 27  |
| 2021-22 | 414 | 467 | 530 | 487 | 495 | 552 | 532 | 554 | 533 | 4,564 | -25 |

## CARPENTER - ENROLLMENT HISTORY & PROJECTIONS

| School Year | K  | 1  | 2  | 3  | 4  | 5  | Total | Change from Prior |
|-------------|----|----|----|----|----|----|-------|-------------------|
| 2007-08     | 65 | 53 | 59 | 52 | 66 | 76 | 371   |                   |
| 2008-09     | 48 | 75 | 53 | 60 | 53 | 63 | 352   | -19               |
| 2009-10     | 62 | 49 | 73 | 57 | 59 | 53 | 353   | 1                 |
| 2010-11     | 79 | 67 | 52 | 75 | 57 | 60 | 390   | 37                |
| 2011-12     | 59 | 77 | 66 | 55 | 72 | 55 | 384   | -6                |
| 2012-13     | 72 | 66 | 79 | 67 | 55 | 75 | 414   | 30                |
| 2013-14     | 61 | 82 | 70 | 85 | 65 | 60 | 423   | 9                 |
| 2014-15     | 73 | 68 | 82 | 73 | 83 | 66 | 445   | 22                |
| 2015-16     | 60 | 79 | 74 | 83 | 76 | 82 | 454   | 9                 |
| 2016-17     | 73 | 65 | 83 | 75 | 86 | 78 | 460   | 6                 |

### Projected:

|         |    |    |    |    |    |    |     |    |
|---------|----|----|----|----|----|----|-----|----|
| 2017-18 | 64 | 82 | 68 | 85 | 77 | 87 | 463 | 3  |
| 2018-19 | 64 | 72 | 85 | 69 | 87 | 78 | 455 | -8 |
| 2019-20 | 72 | 72 | 75 | 87 | 71 | 88 | 465 | 10 |
| 2020-21 | 66 | 81 | 75 | 77 | 90 | 72 | 461 | -4 |
| 2021-22 | 66 | 74 | 84 | 77 | 79 | 91 | 471 | 10 |

## FIELD - ENROLLMENT HISTORY & PROJECTIONS

| School Year | K   | 1   | 2   | 3   | 4   | 5   | Total | Change from Prior |
|-------------|-----|-----|-----|-----|-----|-----|-------|-------------------|
| 2007-08     | 97  | 102 | 100 | 114 | 97  | 111 | 621   |                   |
| 2008-09     | 99  | 103 | 111 | 102 | 121 | 101 | 637   | 16                |
| 2009-10     | 91  | 108 | 113 | 112 | 110 | 124 | 658   | 21                |
| 2010-11     | 84  | 99  | 112 | 120 | 121 | 109 | 645   | -13               |
| 2011-12     | 76  | 105 | 110 | 116 | 123 | 123 | 653   | 8                 |
| 2012-13     | 86  | 91  | 108 | 108 | 123 | 123 | 639   | -14               |
| 2013-14     | 106 | 102 | 103 | 114 | 110 | 122 | 657   | 18                |
| 2014-15     | 85  | 119 | 109 | 106 | 116 | 116 | 651   | -6                |
| 2015-16     | 84  | 99  | 122 | 115 | 107 | 122 | 649   | -2                |
| 2016-17     | 109 | 100 | 98  | 124 | 120 | 114 | 665   | 16                |

### Projected:

|         |     |     |     |     |     |     |     |    |
|---------|-----|-----|-----|-----|-----|-----|-----|----|
| 2017-18 | 92  | 123 | 104 | 100 | 128 | 122 | 669 | 4  |
| 2018-19 | 93  | 104 | 128 | 106 | 103 | 130 | 664 | -5 |
| 2019-20 | 101 | 105 | 108 | 131 | 109 | 104 | 658 | -6 |
| 2020-21 | 93  | 114 | 109 | 110 | 135 | 110 | 671 | 13 |
| 2021-22 | 93  | 105 | 119 | 111 | 113 | 137 | 678 | 7  |



## FRANKLIN - ENROLLMENT HISTORY & PROJECTIONS

| School Year | K  | 1  | 2  | 3  | 4  | 5  | Total | Change from Prior |
|-------------|----|----|----|----|----|----|-------|-------------------|
| 2007-08     | 75 | 83 | 77 | 69 | 75 | 84 | 463   |                   |
| 2008-09     | 79 | 78 | 81 | 77 | 74 | 79 | 468   | 5                 |
| 2009-10     | 54 | 83 | 83 | 78 | 83 | 71 | 452   | -16               |
| 2010-11     | 67 | 68 | 83 | 90 | 77 | 85 | 470   | 18                |
| 2011-12     | 73 | 72 | 70 | 87 | 86 | 79 | 467   | -3                |
| 2012-13     | 53 | 82 | 71 | 66 | 91 | 90 | 453   | -14               |
| 2013-14     | 65 | 71 | 90 | 70 | 71 | 89 | 456   | 3                 |
| 2014-15     | 72 | 79 | 73 | 92 | 71 | 75 | 462   | 6                 |
| 2015-16     | 74 | 86 | 87 | 79 | 95 | 72 | 493   | 31                |
| 2016-17     | 75 | 85 | 92 | 80 | 80 | 99 | 511   | 18                |

### Projected:

|         |    |    |    |    |    |    |     |     |
|---------|----|----|----|----|----|----|-----|-----|
| 2017-18 | 68 | 84 | 88 | 94 | 82 | 81 | 497 | -14 |
| 2018-19 | 69 | 77 | 87 | 90 | 97 | 83 | 503 | 6   |
| 2019-20 | 76 | 78 | 80 | 89 | 93 | 98 | 514 | 11  |
| 2020-21 | 69 | 86 | 81 | 82 | 92 | 94 | 504 | -10 |
| 2021-22 | 69 | 78 | 89 | 83 | 84 | 93 | 496 | -8  |

## ROOSEVELT - ENROLLMENT HISTORY & PROJECTIONS

| School Year | K   | 1   | 2   | 3   | 4   | 5   | Total | Change from Prior |
|-------------|-----|-----|-----|-----|-----|-----|-------|-------------------|
| 2007-08     | 114 | 116 | 101 | 116 | 134 | 119 | 700   |                   |
| 2008-09     | 78  | 119 | 114 | 100 | 115 | 135 | 661   | -39               |
| 2009-10     | 94  | 88  | 121 | 117 | 101 | 118 | 639   | -22               |
| 2010-11     | 105 | 103 | 93  | 128 | 121 | 103 | 653   | 14                |
| 2011-12     | 82  | 118 | 104 | 90  | 129 | 117 | 640   | -13               |
| 2012-13     | 111 | 97  | 129 | 105 | 95  | 130 | 667   | 27                |
| 2013-14     | 69  | 131 | 99  | 130 | 105 | 94  | 628   | -39               |
| 2014-15     | 104 | 88  | 132 | 106 | 128 | 102 | 660   | 32                |
| 2015-16     | 85  | 124 | 90  | 135 | 113 | 136 | 683   | 23                |
| 2016-17     | 98  | 98  | 131 | 94  | 140 | 109 | 670   | -13               |

### Projected:

|         |     |     |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|-----|-----|
| 2017-18 | 91  | 110 | 102 | 134 | 97  | 142 | 676 | 6   |
| 2018-19 | 92  | 102 | 114 | 104 | 138 | 98  | 648 | -28 |
| 2019-20 | 103 | 104 | 106 | 116 | 107 | 140 | 676 | 28  |
| 2020-21 | 94  | 116 | 108 | 108 | 119 | 108 | 653 | -23 |
| 2021-22 | 94  | 106 | 121 | 110 | 111 | 121 | 663 | 10  |

## WASHINGTON - ENROLLMENT HISTORY & PROJECTIONS

| School Year | K   | 1   | 2   | 3   | 4   | 5   | Total | Change from Prior |
|-------------|-----|-----|-----|-----|-----|-----|-------|-------------------|
| 2007-08     | 95  | 110 | 96  | 95  | 106 | 105 | 607   |                   |
| 2008-09     | 87  | 104 | 116 | 96  | 98  | 104 | 605   | -2                |
| 2009-10     | 104 | 95  | 102 | 119 | 102 | 97  | 619   | 14                |
| 2010-11     | 79  | 111 | 102 | 103 | 126 | 101 | 622   | 3                 |
| 2011-12     | 81  | 81  | 110 | 105 | 101 | 129 | 607   | -15               |
| 2012-13     | 91  | 84  | 88  | 115 | 109 | 107 | 594   | -13               |
| 2013-14     | 92  | 103 | 88  | 88  | 121 | 110 | 602   | 8                 |
| 2014-15     | 88  | 107 | 109 | 89  | 99  | 121 | 613   | 11                |
| 2015-16     | 97  | 95  | 111 | 105 | 89  | 98  | 595   | -18               |
| 2016-17     | 89  | 120 | 96  | 116 | 108 | 96  | 625   | 30                |

### Projected:

|         |     |     |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|-----|-----|
| 2017-18 | 88  | 100 | 125 | 98  | 119 | 109 | 639 | 14  |
| 2018-19 | 89  | 99  | 104 | 128 | 101 | 121 | 642 | 3   |
| 2019-20 | 100 | 100 | 103 | 106 | 132 | 102 | 643 | 1   |
| 2020-21 | 92  | 113 | 104 | 105 | 109 | 134 | 657 | 14  |
| 2021-22 | 92  | 104 | 117 | 106 | 108 | 110 | 637 | -20 |

### EMERSON - ENROLLMENT HISTORY & PROJECTIONS

| School Year | 6   | 7   | 8   | Total | Change from Prior |
|-------------|-----|-----|-----|-------|-------------------|
| 2007-08     | 253 | 281 | 263 | 797   |                   |
| 2008-09     | 261 | 266 | 282 | 809   | 12                |
| 2009-10     | 236 | 266 | 272 | 774   | -35               |
| 2010-11     | 260 | 243 | 266 | 769   | -5                |
| 2011-12     | 258 | 254 | 248 | 760   | -9                |
| 2012-13     | 269 | 258 | 260 | 787   | 27                |
| 2013-14     | 291 | 279 | 259 | 829   | 42                |
| 2014-15     | 272 | 288 | 276 | 836   | 7                 |
| 2015-16     | 258 | 265 | 283 | 806   | -30               |
| 2016-17     | 285 | 266 | 264 | 815   | 9                 |

#### Projected:

|         |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|
| 2017-18 | 299 | 288 | 267 | 854 | 39  |
| 2018-19 | 298 | 303 | 289 | 890 | 36  |
| 2019-20 | 299 | 302 | 304 | 905 | 15  |
| 2020-21 | 298 | 303 | 303 | 904 | -1  |
| 2021-22 | 283 | 302 | 304 | 889 | -15 |

## LINCOLN - ENROLLMENT HISTORY & PROJECTIONS

| School Year | 6   | 7   | 8   | Total | Change from Prior |
|-------------|-----|-----|-----|-------|-------------------|
| 2007-08     | 248 | 275 | 243 | 766   |                   |
| 2008-09     | 239 | 247 | 274 | 760   | -6                |
| 2009-10     | 248 | 242 | 251 | 741   | -19               |
| 2010-11     | 231 | 245 | 240 | 716   | -25               |
| 2011-12     | 212 | 232 | 238 | 682   | -34               |
| 2012-13     | 257 | 223 | 240 | 720   | 38                |
| 2013-14     | 245 | 260 | 228 | 733   | 13                |
| 2014-15     | 209 | 245 | 263 | 717   | -16               |
| 2015-16     | 234 | 216 | 238 | 688   | -29               |
| 2016-17     | 244 | 243 | 222 | 709   | 21                |

### Projected:

|         |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|
| 2017-18 | 211 | 247 | 244 | 702 | -7  |
| 2018-19 | 258 | 214 | 248 | 720 | 18  |
| 2019-20 | 225 | 261 | 215 | 701 | -19 |
| 2020-21 | 249 | 228 | 262 | 739 | 38  |
| 2021-22 | 249 | 252 | 229 | 730 | -9  |

Park Ridge - Niles Community Consolidated School District 64  
 2017-18 Staff Requests

| Position                                   | FTE Change | Comments   | Cost Impact | Employee Category |
|--|------------|--|-------------|-------------------|
| <b>Enrollment Changes</b>                  |            |  |             |                   |
| PREA - Teacher                             | 0.00       | No reduction in grades 1-8 due to enrollment fluctuations                              | \$0         | PREA              |
| PREA - Teacher                             | 4.00       | Classes that have exceeded the class size guide using the cohort survival method       | \$212,224   | PREA              |
| PREA - Teacher                             | 4.00       | Classes within 3 of exceeding the class size guide (bubbles)                           | \$212,224   | PREA              |
| PREA - Teacher                             | 2.50       | "Bubble" sections for specials (Art, Music, P.E., etc.) should extra section be needed | \$132,640   | PREA              |
|  |            |  | \$557,088   |                   |
| <b>Changes in Programs or Services</b>     |            |  |             |                   |
|  |            |  | \$0         |                   |
| <b>Summary of Board Approved Positions</b> |            |  |             |                   |

|                                       |                         |
|---------------------------------------|-------------------------|
| <i>Total Estimated Salary Impact</i>  | <u>\$557,088</u>        |
| <i>Total Estimated Benefit Impact</i> | <u>\$111,418</u>        |
| <i>Total Estimated Cost</i>           | <u><u>\$668,506</u></u> |

## First Reading of Policies From PRESS Issue 93 and Policy 2:100

| <b>Policy</b> | <b>Issue</b> | <b>Title</b>   | <b>District Policy Committee Change/No Change</b> | <b>Board Policy Committee Change/No Change</b> | <b>Board Meeting 2/21/17</b> |
|---------------|--------------|--|---|--|------------------------------|
| 2:30          | 93           | School Board – School District Elections   | N/C   | N/C  |                              |
| 2:120         | 93           | School Board – Board Member Development  | N/C   | N/C  |                              |
| 2:200         | 93           | School Board – Types of School Board Meetings  | N/C   | N/C  |                              |
| 2:220         | 93           | School Board – School Board Meeting Procedure  | N/C   | N/C  |                              |
| 2:250         | 93           | School Board – Access to District Public Records                                       | N/C   | N/C  |                              |
| 3:40          | 93           | General School Administration – Superintendent   | C<br>page 2                                       | N/C  |                              |
| 3:50          | 93           | General School Administration – Administrative Personnel Other Than the Superintendent | C<br>page 2                                       | N/C  |                              |
| 4:10          | 93           | Operational Services – Fiscal and Business Management                                  | N/C   | N/C  |                              |
| 4:60          | 93           | Operational Services – Purchases and Contracts   | N/C   | N/C  |                              |
| 4:80          | 93           | Operational Services – Accounting and Audits   | N/C   | N/C  |                              |
| 4:130         | 93           | Operational Services – Free and Reduced-Price Food Services                            | C   | N/C  |                              |
| 4:150         | 93           | Operational Services – Facility Management and Building Programs                       | C   | N/C  |                              |
| 4:170         | 93           | Operational Services – Safety  | C   | N/C  |                              |
| 4:175         | 93           | Operational Services – Convicted Child Sex offender; Screening; Notifications          | N/C   | N/C  |                              |
| 5:10          | 93           | General Personnel – Equal Employment Opportunity and Minority Recruitment              | N/C   | N/C  |                              |
| 5:30          | 93           | General Personnel – Hiring Process and Criteria  | N/C   | N/C  |                              |
| 5:190         | 93           | Professional Personnel – Teacher Qualifications  | N/C   | N/C  |                              |
| 5:260         | 93           | Professional Personnel – Student Teachers  | C   | N/C  |                              |
| 5:280         | 93           | Educational Support Personnel – Duties and Qualifications                              | C   | N/C  |                              |
| 6:15          | 93           | Instruction – School Accountability  | N/C   | N/C  |                              |

|       |    |   |   |  |  |
|-------|----|---|---|--|--|
| 6:50  | 93 | Instruction – School Wellness   | N/C   | N/C  |  |
| 6:140 | 93 | Instruction – Education of Homeless Children                          | N/C   | N/C  |  |
| 6:145 | 93 | Instruction – Migrant Students  | N/C   | N/C  |  |
| 6:160 | 93 | Instruction – English Learners  | N/C   | N/C  |  |
| 6:170 | 93 | Instruction – Title I Programs  | N/C   | N/C  |  |
| 6:340 | 93 | Instruction – Student Testing and Assessment Program                  | N/C   | N/C  |  |
| 7:15  | 93 | Students – Student and Family Privacy Rights                          | N/C   | N/C  |  |
| 7:30  | 93 | Students – Student Assignment and Intra-District transfer             | N/C   | N/C  |  |
| 7:60  | 93 | Students – Residence  | C   | C  |  |
| 7:70  | 93 | Students – Attendance and Truancy                                     | C   | N/C  |  |
| 7:250 | 93 | Students – Student Support Services                                   | N/C   | N/C  |  |
| 7:260 | 93 | Students – Exemption from Physical Education                          | N/C   | N/C  |  |
| 7:270 | 93 | Students – Administering Medicines to Students                        | C   | N/C  |  |
| 7:310 | 93 | Students – Restrictions on Publications: Elementary Schools           | N/C   | N/C  |  |
| 8:30  | 93 | Community Relations – Visitors to and Conduct on School Property      | C   | N/C  |  |
| 8:70  | 93 | Community Relations – Accommodating Individuals with Disabilities     | N/C   | N/C  |  |
| 8:100 | 93 | Community Relations – Relations with Other Organizations and Agencies | N/C   | N/C  |  |
| 2:100 |    | School Board – Conflict of Interest                                   | N/A<br>Did not go through District Policy Committee | C<br>Did not go through Board Policy Committee |  |

2/21/17



## School Board

### School District Elections <sup>1</sup>

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. <sup>2</sup> Board members are elected at the consolidated election held on the first Tuesday in April in odd-numbered years. <sup>3</sup> 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. <sup>4</sup> The canvass of votes is conducted by the election authority within 21 days after the election. <sup>5</sup>

The Board, by proper resolution, may 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. <sup>6</sup>

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 proper election officer and otherwise provides information to the community concerning District elections. <sup>7</sup>

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

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

<sup>2</sup> 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 4)~~ The Election Code also addresses: ~~reportable~~ 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, ~~amended by P.A. 99-522, eff. 1-1-17~~, (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.

<sup>3</sup> 10 ILCS 5/2A-1.1.

<sup>4</sup> 10 ILCS 5/2A-1.1.a.

<sup>5</sup> 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*.

<sup>6</sup> 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 timeliness 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).

<sup>7</sup> 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 amended every Sec in 2 as many of the duties of the local election official were reassigned after the 2014 changes to the law 99-542.~~ The board may delete the following PR function: “and otherwise provides information to the community concerning District elections.”

**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)

## School Board

### Board Member Development <sup>1</sup>

The School Board desires that its individual members learn, understand, and practice effective governance principles. <sup>2</sup> The Board is responsible for Board member orientation and development. Board members have an equal opportunity to attend State and national meetings designed to familiarize members with public school issues, governance, and legislation.

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

### Mandatory Board Member Training <sup>3</sup>

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

1. Each Board member ~~elected or appointed to fill a vacancy of at least one year's duration~~ must complete at least ~~4-four~~ hours of professional development leadership training in education and labor law, financial oversight and accountability, and fiduciary responsibilities within the first year of his or her first term. ~~4 This requirement is applicable to Board members who are elected after June 13, 2011 or who are appointed to fill a vacancy of at least one year's duration after that date.~~
2. Each Board member must complete training on the Open Meetings Act no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificates of completion with the Board. Training on the Open Meetings Act is only required once. <sup>5</sup>
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal using the optional alternative evaluation dismissal process. This dismissal process is available after the District's PERA implementation date. <sup>6</sup>

Comment [KASB]: Footnotes are updated to delete references to past dates.

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

<sup>1</sup> State law governs the mandatory board member training provisions in this sample policy.

<sup>2</sup> The IASB *Foundational Principles of Effective Governance* is available online at [www.iasb.com](http://www.iasb.com).

<sup>3</sup> A board may omit the description of mandatory training requirements by deleting "that are described below" and deleting the numbered list.

<sup>4</sup> 105 ILCS 5/10-16a, added by P.A. 97-3.

<sup>5</sup> 5 ILCS 120/1.05(b) and (c), amended by P.A. 97-504. IASB is an authorized provider of this training.

<sup>6</sup> 105 ILCS 5/24-16.5, added by P.A. 97-9. This mandatory training requirement ~~was~~ will be phased-in as districts ~~implement phase-in teacher~~ evaluations that incorporate student growth ~~as a significant factor~~, otherwise known as Performance Evaluation Reform Act (PERA) evaluations. The implementation timeline for PERA evaluations varies from district to district but ~~will be one of the following: (a) the date in an applicable grant agreement, (b) beginning Sept. 1, 2015 for those districts whose student performance index is the lowest 20% among all districts of their type, and (c) beginning Sept. 1, 2016 for all remaining districts~~ ~~must now implement PERA evaluations~~. After the implementation of PERA evaluations, a district may use an optional alternative evaluative dismissal process using the PERA evaluation. Before voting on a dismissal based upon an optional alternative evaluative dismissal process, a board member must complete a training program on PERA evaluations. IASB is an authorized provider of this training. For more information about PERA, see *PERA Overview for School Board Members*, [iasb.com/law/pera.cfm](http://iasb.com/law/pera.cfm)

The Superintendent or designee shall maintain on the District website a log identifying the complete training and development activities of each Board member, including both mandatory and non-mandatory training. <sup>7</sup>

#### Professional Development: Adverse Consequences of School Exclusion: Student Behavior <sup>8</sup>

The Board President or Superintendent, or their designees, will make reasonable efforts to provide ongoing professional development to Board members about the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates, i.e., Senate Bill 100 training topic.

Comment: [KASS] Added to inform board members that the School Code encourages them to be trained on these issues. Footnote details SB 100 course that will soon be available online.

#### Board Self-Evaluation

The Board will conduct periodic self-evaluations with the goal of continuous improvement. <sup>9</sup>

#### New Board Member Orientation <sup>10</sup>

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

1. The Board President or Superintendent, or their designees, shall give each new Board member a copy of or online access to the Board Policy Manual, the Board's regular meeting minutes for the past year, and other helpful information including material describing the District and explaining the Board's roles and responsibilities.
2. The Board President or designee shall schedule one or more special Board meetings, or schedule time during regular meetings, for Board members to become acquainted and to review Board processes and procedures.
3. The Board President may request a veteran Board member to mentor a new member. <sup>11</sup>
4. All new members are encouraged to attend workshops for new members conducted by the Illinois Association of School Boards.

#### Candidates

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

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

~~<sup>7</sup> 105 ILCS 5/10-16a, added by 2-A-97-8, requires each school district to post on its website, if any, the names of all board members who have completed the minimum of 4 hours of training described in #1. Recognizing that a board may want to highlight all training and development achievements, the sample policy extends this reporting requirement to all training and development activities. For a website reporting template, see 2:120-E2, *Website Listing of Development and Training Completed by Board Members*.~~

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

~~<sup>8</sup> Optional. 105 ILCS 5/10-22.6(e-5). Information about professional development opportunities is available through IASB's Online Learning Center (OLC). Inquire at: [onlinelearning@iasb.com](mailto:onlinelearning@iasb.com).~~

~~<sup>9</sup> Boards are not required to conduct self-evaluations, but may hold a closed meeting with representatives of a State association authorized under Article 23 of the School Code for the purpose of discussing self-evaluation practices and procedures, or professional ethics (5 ILCS 120/2(B)(6)).~~

~~<sup>10</sup> New board member orientation is a critical step in helping new board members become effective and in promoting a smooth functioning new team. The first paragraph should be customized to add references to the IASB policy services that the district receives (e.g., PRESS, PRESS Online, School Board Policies Online, and PRESS Plus).~~

~~<sup>11</sup> See 2:120-E1, *Guidelines for Serving as a Mentor to a New School Board Member*.~~

**LEGAL REF.:** 5 ILCS 120/1.05 and 120/2.  
105 ILCS 5/10-16a and 5/24-16.5.

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

## School Board

### Types of School Board Meetings <sup>1</sup>

#### General

For all meetings of the School Board and its committees, the Superintendent or designee shall satisfy all notice and posting requirements contained herein as well as in the Open Meetings Act. This shall include mailing meeting notifications to news media that have officially requested them and to others as approved by the Board.<sup>2</sup> Unless otherwise specified, all meetings are held in the District's main office.<sup>3</sup> Board policy 2:220, *School Board Meeting Procedure*, governs meeting quorum requirements.

The Superintendent is designated on behalf of the Board and each Board committee to receive the training on compliance with the Open Meetings Act that is required by Section 1.05(a) of that Act. The Superintendent may identify other employees to receive the training.<sup>4</sup> In addition, each Board member must complete a course of training on the Open Meetings Act as required by Section 1.05(b) or (c) of that Act. <sup>5</sup>

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

<sup>1</sup> State law controls this policy's content. The provisions of the Open Meetings Act (OMA) do not apply to collective bargaining negotiations and grievance arbitrations as provided in 115 ILCS 5/18.

<sup>2</sup> 5 ILCS 120/2.02. These responsibilities may be given to anyone.

<sup>3</sup> State law only requires that meetings be held in a location convenient and open to the public and no open meeting is allowed to be held on a legal holiday unless the regular meeting day falls on that holiday (5 ILCS 120/2.01). According to an Ill. Atty. Gen. Public Access Counselor Opinion, a board may not meet in a private residence because it would not be convenient and open to the public (PAO 12-8). A board meeting 26 miles away from its regular location, while open to the public, was inconvenient because "the public, as a practical matter, would be deterred from attending it" (PAO 13-14). Any person may record an open meeting (5 ILCS 120/2.05). See policy 2:220, *School Board Meeting Procedure*.

<sup>4</sup> Each board must designate at least one employee or member to receive training on compliance with OMA (5 ILCS 120/1.05). Revise this paragraph if the board designates other individual(s) to receive the training. A list of designated individual(s) must be submitted to the Attorney General's Public Access Counselor. The designated individual(s) must successfully complete an electronic training curriculum administered by the Attorney General's Public Access Counselor within 30 days after that designation, and thereafter must successfully complete an annual training program. The OMA does not specify duties for the designated individuals who receive the training but presumably they would assist the board in its OMA compliance efforts.

<sup>5</sup> 5 ILCS 120/1.05(b) applies to training administered by the Attorney General's office; 1.05(e) applies to training administered by IASB. Board members elected or appointed after 1-1-2012 must complete the training not later than 90 days after taking the oath of office. Even before this law, compliance with the OMA has always been considered a shared responsibility of board members. Failing to complete the OMA training does not affect the validity of an action taken by the board nor is it considered a criminal violation (5 ILCS 120/1.05(b)); and 120/4. However, a person found to have violated any other provisions of the OMA is guilty of a Class C misdemeanor punishable by a \$1500 fine or 30 days in jail (5 ILCS 120/4).

### Regular Meetings

The Board announces the time and place for its regular meetings at the beginning of each fiscal year.<sup>6</sup> The Superintendent shall prepare and make available the calendar of regular Board meetings. The regular meeting calendar may be changed with ~~10-day~~ notice in accordance with State law.<sup>7</sup>

A meeting agenda shall be posted at the District's main office and the Board's meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting.<sup>8</sup>

### Closed Meetings<sup>9</sup>

The Board and Board committees may meet in a closed meeting to consider the following subjects:

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.<sup>10</sup> However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act], 5 ILCS 120/2(c)(1), amended by P.A. 99-646, 11

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

<sup>6</sup> The OMA and the School Code have different provisions regarding the establishment of a regular meeting schedule. The OMA requires each public body to prepare and make available a regular meeting schedule at the beginning of each calendar or fiscal year (5 ILCS 120/2.03). The School Code states that this task is accomplished during the organizational meeting. By *announcing* the schedule at the beginning of each calendar or fiscal year and by *fixing* the schedule at the organizational meeting, a board can implement both laws. Note that the phrase in this sample policy, "at the beginning of each fiscal year," can be changed to "at the beginning of each calendar year."

<sup>7</sup> Regular meeting dates may be changed by giving at least 10 days' notice in a newspaper of general circulation and posting a notice at the district's main office (5 ILCS 120/2.03). Districts with a population of less than 500, in which no newspaper is published, may give the ~~10-day~~ notice by posting a notice in at least 3 ~~from~~ prominent places within the district, in addition to posting a notice at the district's main office (*Id.*). Notice shall also be given to those news media having filed an annual request to receive notifications (*Id.*).

<sup>8</sup> 5 ILCS 120/2.02(a). The posting location may need modification to comply with the law's requirement that the agenda be posted at the district's main office. For agenda requirements, see policy 2:220, *School Board Meeting Procedure*.

OMA also requires that "any required notice and agenda ~~for the meeting~~ be continuously available for public review during the entire 48-hour period preceding the meeting." Emphasis added, 5 ILCS 120/2.02(c). The requirement for *continuously available* is satisfied if the district posts any required notice and agenda on its website. However, to comply with the legislative intent, posting on the district website does not replace the posting described in this sentence. See Rep. Pihos remarks reported in *New open-meetings law; is hard-copy posting of agendas still required?*, Sept. 2012, *Illinois Bar Journal*.

For districts that do not post board meeting agendas on a website (because they do not have a website maintained by a fulltime staff member), add the following sentence:

The agenda shall be continuously available for public review during the entire 48-hour period preceding the meeting.

If a notice or agenda is not continuously available for the full 48-hour period due to actions outside of the district's control, the lack of availability does not invalidate any meeting or action taken.

<sup>9</sup> The reasons for closed meetings are frequently addressed in court decisions and Attorney General opinions; only a few of these decisions/opinions are mentioned in the footnotes.

<sup>10</sup> "[T]his] exception is not intended to allow private discussion of fiscal matters, notwithstanding that they may directly or indirectly impact the employees of the public body." See PAOs 13-11 and 15-03. *Discusses the elimination of an employee's position for reasons unrelated to the performance of the employee is not within the scope of Section 2(g)(1). See FAQ 15-07. Nor does the exception permit a public body to hold closed sessions to discuss employees in general or issues that may ultimately have an impact on employees. See PAO 15-05.*

<sup>11</sup> The Local Government Wage Increase Transparency Act, 50 ILCS 155/1, added by P.A. 99-646, allows *disclosable payments* (identified below) to IMRF employees only when the school board has first discussed the specific payment to be made at a meeting open to the public and posted and held in accordance with the requirements of the Open Meetings Act.

2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2). ~~1A~~
3. The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in the Open Meetings Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).
5. The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
6. The setting of a price for sale or lease of property owned by the public body. 5 ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
8. Security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8), amended by P.A. 99-235, eff. 1-1-16.
9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
12. The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk

The provisions apply only to disallowable payments made to participating employees under Article Seven of the Illinois Pension Code (ILPC) who began participation before 1-1-11 and who are not subject to a collective bargaining agreement with respect to the employment upon which the participation is based.

Disallowable payments mean a payment, whether in the form of an increase in the rate of earnings or a lump-sum payment, that would:

1. Be made by a participating employee to a participating employee after the employee has expressed to the employer his or her intent to retire or withdraw from service;
2. Have the effect of increasing the employee's reasonable monthly earnings from that employer by more than 6% compared to the previous month; and
3. Be made between 12 months and 90 days prior to the employee's expected termination of service.

It does not include a refund of contributions or any payment required to be paid by State or Federal law.

1A Discussing a hiring freeze is not within the scope of Section 2(a)(2). See PAO 15-07. And if a public body is not engaged in collective bargaining at the time of the meeting, discussion of a hiring freeze does not constitute a collective negotiating matter. Id.



management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).

13. Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16).<sup>13</sup>
14. Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
15. Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

The Board may hold a closed meeting, or close a portion of a meeting, by a majority vote of a quorum, taken at an open meeting. The vote of each Board member present, and the reason for the closed meeting, will be publicly disclosed at the time of the meeting and clearly stated in the motion and the meeting minutes. 14

A single motion calling for a series of closed meetings may be adopted when such meetings will involve the same particular matters and are scheduled to be held within ~~3~~ three months of the vote. 15

No final Board action will be taken at a closed meeting. 16

#### Reconvened or Rescheduled Meetings

A meeting may be rescheduled or reconvened. Public notice of a rescheduled or reconvened meeting shall be given in the same manner as that for a special meeting, except that no public notice is required when the original meeting is open to the public and: (1) is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda. 17

#### Special Meetings

Special meetings may be called by the President or by any ~~3~~ three members of the Board by giving notice thereof, in writing, stating the time, place, and purpose of the meeting to remaining Board

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<sup>13</sup> IASB field services directors are available to facilitate a board self-evaluation.

<sup>14</sup> 5 ILCS 120/2a. Provided the open meeting was properly noticed, no additional notice is required to close the meeting. A motion to close a meeting can be as simple as, "I move that the Board hold [go into] a closed session to discuss [state one of the closed meeting grounds with reference to the specific section authorizing the closed meeting]."

The adequacy of a motion to go into closed session was discussed in Henry v. Anderson and Champion Community Unit School Dist. No. 4, 827 N.E.2d 522 (Ill.App.4, 2005). A statutory citation is not required in the motion to go into closed session, but the CMA does require a reference to the specific exception. The *litigation* exception is tricky. If the litigation has been filed and is pending, the motion to go into closed session need only state that the board will discuss litigation that has been filed and is pending. If the litigation has not been filed, the board must: (1) find that the litigation is probable or imminent, and (2) record and enter into the minutes the basis for that finding.

<sup>15</sup> *Id.*

<sup>16</sup> 5 ILCS 120/2(e). See also PAOs 13-03, 13-07, and 14-01.

<sup>17</sup> 5 ILCS 120/2.02.

members by mail at least 48 hours before the meeting, or by personal service at least 24 hours before the meeting. 18

Public notice of a special meeting is given by posting a notice at the District's main office at least 48 hours before the meeting and by notifying the news media that have filed a written request for notice. A meeting agenda shall accompany the notice. 19

All matters discussed by the Board at any special meeting must be related to a subject on the meeting agenda. 20

#### Emergency Meetings

Public notice of emergency meetings shall be given as soon as practical, but in any event, before the meeting to news media that have filed a written request for notice. 21

#### Posting on the District Website 22

In addition to the other notices specified in this policy, the Superintendent or designee shall post the following on the District website: (1) the annual schedule of regular meetings, which shall remain posted until the Board approves a new schedule of regular meetings; (2) a public notice of all Board meetings; and (3) the agenda for each meeting which shall remain posted until the meeting is concluded.

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18 105 ILCS 5/10-16 (~~Open~~ members of a board of directors; 105 ILCS 5/10-6). Lawyers disagree whether ~~Open~~ members may call a special meeting without violating the OMA, although there is general agreement that no violation occurs if ~~Open~~ members call a special meeting while they are participating in a lawful board committee meeting with the matter on the agenda.

19 5 ILCS 120/2.02. News media that give the board an address or telephone number within the district's territorial jurisdiction must be given notice in the same manner as given board members.

OMA requires that "any required notice and agenda be *continuously available* for public viewing during the entire 48-hour period preceding the meeting." Emphasis added, 5 ILCS 120/2.02(c). The requirement for *continuously available* is satisfied if the district posts any required notice and agenda on its website. Posting on the district website does not replace the posting described in this paragraph. See *fn 8*.

For districts that do not post board meeting notices and agendas on a website (because they do not have a website maintained by a fulltime staff member), add the following sentence:

The notice and agenda shall be continuously available for public review during the entire 48-hour period preceding the meeting.

20 Lawyers disagree whether the Open Meetings Act mandates this restriction, i.e., whether it restricts board *discussions* to items related to an item on the special meeting agenda. The Act limits board *action* to items on the agenda (5 ILCS 120/2.02(c)); it states that the validity of any action taken "which is germane to a subject on the agenda shall not be affected by other errors or omissions in the agenda," (5 ILCS 120/2.02(a)). For agenda requirements, see policy 2:220, *School Board Meeting Procedure*.

21 5 ILCS 120/2.02(a).

22 Required *only if* the district has a website that is maintained by a full-time staff member; if not, this section may be omitted (5 ILCS 120/2.02). Note that 5 ILCS 120/2.02(b) requires that a notice of *all* meetings be posted on the district website, but only notices of *regular* meetings must remain posted until the *regular* meeting is concluded. As this is an obvious oversight, it is wise to leave the notice of every meeting on the website until after the meeting occurred. The agenda must remain on the district website until the meeting is concluded (*id.*).

**LEGAL REF.:** 5 ILCS 120, Open Meeting Act.  
5 ILCS 140, Freedom of Information Act.  
105 ILCS 5/10-6 and 5/10-16.

**CROSS REF.:** 2:110 (Qualifications Term, and Duties of Board Officers), 2:120 (Board Member Development), 2:210 (Organizational School Board Meetings), 2:220 (School Board Meeting Procedure), 2:230 (Public Participation at School Board Meetings and Petitions to the Board), 6:235 (Access to Electronic Networks)

## School Board

### School Board Meeting Procedure <sup>1</sup>

#### Agenda

The School Board President is responsible for focusing the Board meeting agendas on appropriate content.<sup>2</sup> The Superintendent shall prepare agendas in consultation with the Board President. The President shall designate a portion of the agenda as a consent agenda for those items that usually do not require discussion or explanation before Board action. Upon the request of any Board member, an item will be withdrawn from the consent agenda and placed on the regular agenda for independent consideration.<sup>3</sup>

Each Board meeting agenda shall contain the general subject matter of any item that will be the subject of final action at the meeting.<sup>4</sup> Items submitted by Board members to the Superintendent or the President shall be placed on the agenda for an upcoming meeting.<sup>5</sup> District residents may suggest inclusions for the agenda.<sup>6</sup> The Board will take final action only on items contained in the posted agenda; items not on the agenda may still be discussed.<sup>7</sup>

The Superintendent shall provide a copy of the agenda, with adequate data and background information, to each Board member at least 48 hours before each meeting, except a meeting held in the event of an emergency.<sup>8</sup> The meeting agenda shall be posted in accordance with Board policy 2:200, *Types of School Board Meetings*.

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<sup>1</sup> State law requires boards to have a policy concerning: (1) the public's right to record meetings (5 ILCS 120/2.05), and (2) if applicable, attendance by video or audio means (5 ILCS 120/7). Boards are not mandated to have a policy on the remaining topics covered in this policy. The following items are matters of local discretion: agenda preparation and contents, process for board members to have items placed on agenda, receipt and handling of residents' requests for agenda inclusions, and order of business.

<sup>2</sup> Appropriate agenda content includes: establishing board processes, clarifying the district's purpose, delegating authority, defining operating limits, monitoring district progress, and taking legally required board action. See *LASB Foundational Principles of Effective Governance*.

<sup>3</sup> To comply with the Open Meetings Act's mandate that minutes contain a "summary of discussion on all matters proposed, deliberated, or decided," a board should include a list of consent items in the agenda.

<sup>4</sup> 5 ILCS 120/2.02(c) ~~was amended by P.A. 97-827 (eff. 1-1-2013)~~. The Ill. Appellate Court held that the Open Meetings Act prohibits a board from voting on a matter at a regular meeting that is not on the pre-meeting published agenda (*Rice v. Board of Trustees of Adams County*, 762 N.E.2d 1205 (Ill.App.4, 2002)).

<sup>5</sup> An alternative follows:

Any Board member may submit suggested agenda items to the Board President for his or her consideration.

<sup>6</sup> See policy 2:230, *Public Participation at School Board Meetings and Petitions to the Board*. In districts governed by a board of school directors, an appointed board official must give a person requesting consideration of a matter by the board a formal written response no later than 60 days after receiving the request. The response must establish a meeting before the board or list the reasons for denying the request (105 ILCS 5/10-6).

Options follow to restrict the addition of new agenda items; the phrases between [ ] may be used together, separately, or eliminated.

Discussion items may be added to the agenda [at the beginning of a regular meeting] [upon unanimous approval of those Board members present].

<sup>7</sup> An opinion from the Ill. Public Access Counselor found no violation of the OMA when a board removed an item from the agenda within the 48-hour notice time period (PAO 14-3). Removals inform the public that the board does not plan to proceed on the topic.

<sup>8</sup> State law does not require this, except that 105 ILCS 5/10-16 requires members to receive a written notice of a special meeting that includes the meeting's purpose.

The Board President shall determine the order of business at regular Board meetings. Upon consent of a majority of members present, the order of business at any meeting may be changed.

### Voting Method

Unless otherwise provided by law, when a vote is taken upon any measure before the Board, with a quorum being present, a majority of the votes cast shall determine its outcome.<sup>9</sup> A vote of *abstain* or *present*, or a vote other than *yea* or *nay*, or a failure to vote, is counted for the purposes of determining whether a quorum is present. A vote of *abstain* or *present*, or a vote other than *yea* or *nay*, or a failure to vote, however, is not counted in determining whether a measure has been passed by the Board, unless otherwise stated in law. The sequence for casting votes is rotated.<sup>10</sup>

Comment: [ILCS] Law originated through IAI resolutions

On all questions involving the expenditure of money and on all questions involving the closing of a meeting to the public, a roll call vote shall be taken and entered in the Board's minutes. An individual Board member may request that a roll call vote be taken on any other matter; the President or other

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<sup>9</sup> In most situations, the failure of a member to vote has the effect of acquiescence or concurrence with the majority of votes cast. *Primmer v. Village of Fox Lake*, 438 N.E.2d 134 (Ill. 1982); *Boyd v. Board of Trustees*, 2013 IL App (1st) 11-110 (9-25-2013) N.E.2d 681 (Ill. App. 1, 2013). For example, a motion passes with a vote of 3-~~two~~ *yeas*, 1-~~one~~ *nay*, and 4-~~four~~ *abstentions*. A motion fails with a vote of 2-~~two~~ *yeas*, 2-~~three~~ *nays*, and 3-~~two~~ *abstentions*. A motion fails with a vote of 3-~~three~~ *yeas*, 2-~~three~~ *nays*, and one *abstain* because there is no majority. Exceptions include when a statute requires the affirmative vote of a majority or extra. Statutory exceptions include the following board actions:

1. Dismissing a teacher for any reason other than reduction of staff or elimination of that position requires approval by the majority of all members (105 ILCS 5/24-12).
2. Directing the sale of district real property or buildings thereon must be approved by at least 2/3 of the board members (105 ILCS 5/5-22, amended by P.A. 99-794, eff. 1-1-17) unless the sale is residential property constructed or renovated by students as part of a residential program in which case the board could engage the services of a licensed real estate broker to sell the property for a commission not to exceed 7% contingent upon the public listing of the property on a multiple listing service for a minimum of 14 calendar days and a sale of the property happens within 120 days.
3. Making or renewing a lease of school property to another school district or municipality or body politic and corporate for a term longer than 10-~~ten~~ years, or to alter the terms of such a lease whose unexpired term exceeds 10 years, requires approval by at least 2/3 of the board's full membership (105 ILCS 5/10-22.11).
4. Leasing any building, rooms, grounds, and appurtenances to be used by the district for school or administration purposes for a term longer than 10-~~ten~~ years, or to alter the terms of such a lease whose unexpired term exceeds 10-~~ten~~ years, requires approval by at least 2/3 of the board's full membership (105 ILCS 5/10-22.12).
5. Obtaining personal property by lease or installment contract requires approval by an affirmative vote of at least 2/3 of the board members. *Personal property* includes computer hardware and software and all equipment, fixtures, and improvements to existing district facilities to accommodate computers (105 ILCS 5/10-22.25a).
6. Adopting a supplemental budget after a successful referendum requires approval by a majority of the full board (105 ILCS 5/17-3.2).
7. Petitioning the circuit court for an emergency election requires approval by a majority of the members (10 ILCS 5/2A-1.4).
8. Expending funds in emergency situation in the absence of required bidding requires approval by at least 3/4 of the board (105 ILCS 5/10-20.21).
9. Embanking school building sites requires approval by at least a 2/3 majority of the board (105 ILCS 5/5-23).
10. Waiving the administrative cost cap requires approval by an affirmative vote of at least 2/3 of the board (105 ILCS 5/17-1.5).
11. Authorizing an advisory question of public policy to be placed on the ballot at the next regularly scheduled election requires approval by a majority of the board (105 ILCS 5/9-1.5).

<sup>10</sup> Voting sequence is at the board's discretion. A board may indicate how frequently it changes the voting sequence by adding *after each vote*, *monthly*, or *annually* to the end of the sentence. All board members, including officers, may make motions and vote.

presiding officer may approve or deny the request but a denial is subject to being overturned by a majority vote of the members present.<sup>11</sup>

#### Minutes

The Board Secretary shall keep written minutes of all Board meetings (whether open or closed), which shall be signed by the President and the Secretary.<sup>12</sup> The minutes include: <sup>13</sup>

1. The meeting's date, time, and place;
2. Board members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted *yes* and *no*;
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;
6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting;
7. A record of all motions, including individuals making and seconding motions;
8. Upon request by a Board member, a record of how he or she voted on a particular motion;<sup>14</sup> and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

The minutes shall be submitted to the Board for approval or modification at its next regularly scheduled open meeting. Minutes for open meetings must be approved within 30 days after the meeting or at the second subsequent regular meeting, whichever is later. <sup>15</sup>

At least semi-annually in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) decides which, if any, no longer require confidential treatment and are available for public inspection.<sup>16</sup> The Board may meet in a prior closed

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<sup>11</sup> This paragraph's first sentence contains the requirements in 105 ILCS 5/10-7. The second sentence is optional and may be deleted or amended. Other optional provisions include:

Option 1: Any Board member may include a written explanation of his or her vote in the District file containing individual Board member statements; the explanation will not be part of the minutes.

Option 2: Any Board member may request that his or her vote be changed before the President announces the result.

<sup>12</sup> 105 ILCS 5/10-7 and 5 ILCS 120/2.06. The minutes are the only record showing that the board took official action, including necessary prerequisites to make such action legally sufficient. A non-member recording secretary or clerk may be given these responsibilities (105 ILCS 5/10-14).

<sup>13</sup> All items listed are required to be recorded in minutes except items 7-9; other items may be included at the board's discretion (5 ILCS 120/2.06 and 120/2a; 105 ILCS 5/10-7). The Ill. Public Access Counselor found a board's vague reference to a *personnel matter* insufficient to meet the requirements of #3 (PAO 13-07).

<sup>14</sup> The intent behind this optional item is to give an individual member a means of recording his or her support or opposition to a motion that was taken by oral vote; it will record that the individual took an alternative position to that of the majority without having the minutes recite unnecessary detail.

<sup>15</sup> Required by 5 ILCS 120/2.06(b).

<sup>16</sup> Required by 5 ILCS 120/2.06(e). While board notes from closed sessions may be confidential under the Freedom of Information Act, they may be discoverable by the opposing party in a lawsuit. *Bobkoski v. Carv School Dist.* 26, 141 F.R.D. 88 (N.D. Ill., 1992).

The failure to strictly comply with the semi-annual review does not cause the written minutes or related verbatim record to become public, provided that the board, within 60 days of discovering its failure to strictly comply, reviews the closed session minutes and reports the result of that review in open session (5 ILCS 120/2.06).

session to review the minutes from closed meetings that are currently unavailable for public release. 17

The Board's meeting minutes must be submitted to the Board Treasurer at such times as the Treasurer may require. 18

The official minutes are in the custody of the Board Secretary. 19 Open meeting minutes are available for inspection during regular office hours within ten days after the Board's approval; 20 they may be inspected in the District's main office, in the presence of the Secretary, the Superintendent or designee, or any Board member.

Minutes from closed meetings are likewise available, but only if the Board has released them for public inspection. ~~except that Board members may access closed session minutes not yet released for public inspection (1) in the District's administrative offices or their official storage location, and (2) in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member.~~ 21 The minutes, whether reviewed by members of the public or the Board, shall not be removed from the ~~District's administrative offices or their official storage location Superintendent's office~~ except by vote of the Board or by court order. 22

The Board's open meeting minutes shall be posted on the District website within ten days after the Board approves them; the minutes will remain posted for at least 60 days. 23

#### Verbatim Record of Closed Meetings

The Superintendent, or the Board Secretary when the Superintendent is absent, shall audio record all closed meetings. 24 If neither is present, the Board President or presiding officer shall assume this responsibility. After the closed meeting, the person making the audio recording shall label the recording with the date and store it in a secure location. The Superintendent shall ensure that: (1) an audio recording device and all necessary accompanying items are available to the Board for every closed meeting, and (2) a secure location for storing closed meeting audio recordings is maintained close to the Board's regular meeting location. 25

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17 5 ILCS 120/2 allows boards to discuss the confidentiality needs of closed meeting minutes in closed meetings.

18 Required by 105 ILCS 5/10-7.

19 Optional provision: "A copy of the minutes is kept in a secure location appropriate for valuables."

20 Required by 5 ILCS 120/2.06.

21 5 ILCS 120/2.06(e), amended by P.A. 99-515. The listed individuals in the statute are matched to the titles in the IASB Policy Reference Manual. If the board wishes to mirror the statutory language, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body."

See the discussion in paragraph two of 2a.27 below about what is the presence of means.

22 Id.

23 Posting on the website is required only if the district has a website that is maintained by a full-time staff member; if not, this sentence may be omitted (5 ILCS 120/2.06(b)).

24 Boards must keep a verbatim record of their closed meetings in the form of an audio or video recording (5 ILCS 120/2.06, amended by P.A. 99-515). This sample policy uses audio recording only; a board that uses a video recording should amend this policy and exhibit 2-230-B1, *Final Treatment of Closed Meeting Verbatim Recordings and Minutes*.

The interests of continuity, efficiency, and ease of holding someone accountable suggest that the superintendent be made responsible for making and storing the verbatim recordings. If the superintendent is not present, e.g., during discussions concerning the superintendent's contract, the tasks should be given to a board member.

25 Alternatively, use: "is maintained within the District's ~~administrative main office~~ or their official storage location."

After 18 months have passed since being made, the audio recording of a closed meeting is destroyed provided the Board approved: (1) its destruction, and (2) minutes of the particular closed meeting. 26

Individual Board members may ~~access listen to verbatim recordings in the presence of the Recording Secretary, the Superintendent or designated administrator, or any elected Board member.~~<sup>27</sup> Access to the verbatim recordings is available at the District's administrative offices or the verbatim recording's official storage location.<sup>28</sup> Requests shall be made to the Superintendent or Board President, ~~when that action is~~ While a Board member is listening to a verbatim recording, it shall not be re-recorded or removed from the District's main office or official storage location, except by vote of the Board or by court order.<sup>29</sup>

Before making such requests, Board members should consider whether such requests are germane to their responsibilities, ~~service to District, and/or Oath of Office in policy 2:80, Board Member Oath and Conduct.~~ In the interest of encouraging free and open expression by Board members during closed meetings, the recordings of closed meetings should not be used by Board members to confirm or dispute the accuracy of recollections. 30

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<sup>26</sup> This paragraph paraphrases 5 ILCS 120/2.06(e). No notification to, or the approval of, a records commission or the State Archivist is needed if a recording is destroyed under the conditions listed.

<sup>27</sup> 5 ILCS 120/2.06(e), amended by P.A. 99-515. The listed individuals align with the other titles used in the IASB Policy Reference Manual. If the board wishes to mirror the statute, delete: ~~the Recording Secretary, the Superintendent or designated administrator, or any elected Board member~~ and replace with: "a records secretary, an administrative official of the public body, or any elected official of the public body."

The intent of the *in the presence of* language is meant to protect both: (1) the verbatim recordings/closed session minutes (see FN 21 above), and (2) the board member requesting access to them. It ensures that a school district official is present at all times when a requesting board member accesses the verbatim recording/closed session minutes. The requirement is meant to prevent misuse and removal of the verbatim recordings/closed session minutes from the district offices or official storage location. It is also meant to protect the board member who requests the access from being alone and in a situation where he or she could potentially be accused of tampering with or taking the verbatim recording/closed session minutes.

Consult the board attorney about:

1. The practice of sending an appointed board member to be present with a board member who requests access to verbatim recordings/closed session minutes. 105 ILCS 120/2.06(e) states, "any elected member of the Board;" appointed is not listed but is mentioned elsewhere in the language of this section of the law.
2. Access to verbatim recordings/closed session minutes by other officials employed by the district, e.g., superintendent or other high-level administrators and even the board attorney; and
3. How this law affects the sharing of closed session minutes with board members prior to a meeting at which the closed session minutes will be approved.

The intent of P.A. 99-515 was to manage a board member's individual request for access to these items in his or her individual capacity (see 2:80, *Board Member Oath and Conduct*), not change prior practices in regard to other officials and board attorneys or the required work of school boards under various laws. While many attorneys do not interpret the new law to restrict access or change procedures for these other high-level school officials and attorneys employed by the district, some attorneys do and it is important to obtain legal advice on this specific issue.

<sup>28</sup> Id.

<sup>29</sup> Id.

<sup>30</sup> This paragraph is optional. It provides board members with the opportunity to discuss and evaluate each request to ensure they think about requests for their requests to listen to verbatim recordings, which historically has been and should continue to be to "access information relevant to the exercise of duties" for the public body. Intra-board conflicts may escalate if the recording is used to confirm or dispute who-said-what. Prior to P.A. 99-515, the Open Meetings Act did (and still does) allow boards to release these types of information (5 ILCS 120/2.06(e)). Further, Att'y Gen. Op. 32, 1996, opined that board members cannot be denied access to information relevant to the exercise of his or her duties. Board members should evaluate whether their requests under P.A. 99-515 are "relevant to the exercise of their duties" before making such requests. Confirming or disputing who-said-what diverts resources away from operations of the district in educating its students. Additional considerations by members to verbatim recordings may include personnel and student records and other privacy issues, which should be discussed with the board attorney.



### Quorum and Participation by Audio or Video Means <sup>31</sup>

A quorum of the Board must be physically present at all Board meetings. A majority of the full membership of the Board constitutes a quorum.

Provided a quorum is physically present, a Board member may attend a meeting by video or audio conference if he or she is prevented from physically attending because of: (1) personal illness or disability, (2) employment or District business, or (3) a family or other emergency. If a member wishes to attend a meeting by video or audio means, he or she must notify the recording secretary or Superintendent at least 24 hours before the meeting unless advance notice is impractical. The recording secretary or Superintendent will inform the Board President and make appropriate arrangements. A Board member who attends a meeting by audio or video means, as provided in this policy, may participate in all aspects of the Board meeting including voting on any item.

### Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use Robert's Rules of Order, Newly Revised (10th Edition), as a guide when a question arises concerning procedure. <sup>32</sup>

### Broadcasting and Recording Board Meetings

Any person may record or broadcast an open Board meeting. <sup>33</sup> Special requests to facilitate recording or broadcasting an open Board meeting, such as seating, writing surfaces, lighting, and access to electrical power, should be directed to the Superintendent at least 24 hours before the meeting.

Recording meetings shall not distract or disturb Board members, other meeting participants, or members of the public. The Board President may designate a location for recording equipment, may restrict the movements of individuals who are using recording equipment, or may take such other steps as are deemed necessary to preserve decorum and facilitate the meeting.

LEGAL REF.: 5 ILCS 120/2a, 120/2.02, 120/2.05, and 120/2.06.  
105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:200 (Types of School Board Meetings), 2:150 (Committees), 2:210 (Organizational School Board Meeting), 2:230 (Public Participation at School Board Meetings and Petitions to the Board)

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<sup>31</sup> 5 ILCS 120/2.01 and 120/7. See also 105 ILCS 5/10-6 and 5/10-12. In order to allow attendance by video or audio means, a board must adopt a policy conforming to the restrictions in the Open Meetings Act. The statute requires the board member who wishes to attend remotely to notify the "recording secretary or clerk of the public body." The policy includes the superintendent as a possible person to receive the notice. Everything in this section is required aside from provisions on the length of notification that is given the secretary and the process for accommodating the request. Alternatively, a board may: (1) prohibit members from participating by video or audio means by omitting this section, (2) add other requirements, or (3) alter the 24 hour notification. Note that the statute does not contemplate someone either *approving* or *denying* a request, only that the request be accommodated if the notification is provided.

<sup>32</sup> Boards are not required to follow any particular rules of order. Rules, however, must be in writing and available for public inspection, in order to have any legal effect (105 ILCS 5/10-20.5).

<sup>33</sup> The public's right to record meetings must be addressed in board policy (5 ILCS 120/2.05). However, a provision requiring advance notice to record a meeting is invalid (PAO 12-10).

## School Board

### Access to District Public Records<sup>1</sup>

Full access to the District's *public records* is available to any person as provided in the Illinois Freedom of Information Act (FOIA), this policy, and implementing procedures. The Superintendent or designee shall: (1) provide the Board with sufficient information and data to permit the Board to monitor the District's compliance with FOIA and this policy, and (2) report any FOIA requests during the Board's regular meetings along with the status of the District's response.<sup>2</sup>

### Freedom of Information Officer<sup>3</sup>

The Superintendent shall serve as the District's Freedom of Information Officer and assumes all the duties and powers of that office as provided in FOIA and this policy. The Superintendent may delegate these duties and powers to one or more designees, but the delegation shall not relieve the Superintendent of the responsibility for the action that was delegated.

### Definition<sup>4</sup>

The District's *public records* are defined as records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary material pertaining to the transaction of public business, regardless of physical form or characteristic, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of the School District.

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<sup>1</sup> The Illinois Freedom of Information Act (FOIA) governs the subject matter in this policy (5 ILCS 140). School districts are required to make public records available to any person for inspection or copying, unless they fall within an exception (5 ILCS 140/3(a)). The *fn*s only discuss sections of FOIA that are relevant to school districts. State law does not explicitly require boards to adopt a policy on access to their records. However, a board policy is the logical instrument to memorialize the actions that are required to implement FOIA. The laws limiting the disclosure of employee evaluations are discussed in *fn* 7.

Any person denied access to a public record may request a review by the Ill. Public Access Counselor (PAC) established in the office of the Attorney General (5 ILCS 140/9.5). As a result of the review, the PAC may issue an opinion binding on the requester and public body. IASB reports on the opinions relevant to school districts on its website at [www.iasb.com/law/decisions.cfm?SubjectArea=Freedom%20of%20Information%20Act%20-%20FOIA](http://www.iasb.com/law/decisions.cfm?SubjectArea=Freedom%20of%20Information%20Act%20-%20FOIA).

<sup>2</sup> This sentence allows a board to monitor the district's compliance with FOIA. This is an important duty as illustrated by FOIA's provision stating: "It is a fundamental obligation of government to operate openly and provide public records as expeditiously and efficiently as possible." The School Code requires the FOIA report described in #2 (105 ILCS 5/10-16); it is optional, however, for districts governed by a board of school directors.

<sup>3</sup> Each board must designate one or more official(s) or employee(s) to act as its freedom of information officer(s) (5 ILCS 140/3.5)(referred to in the *fn*s as *FOIA Officer*). A board may replace *Superintendent* in this paragraph with another job title, or may replace the paragraph with one of the alternatives below:

Alternative 1: The Board will appoint an employee to serve as the District's Freedom of Information Officer. That appointee assumes all the duties and powers of that office as provided in FOIA and this policy.

Alternative 2: The Superintendent shall appoint an employee, who may be himself or herself, to [continue as with alternative 1].

<sup>4</sup> The definition is quoted from 5 ILCS 140/2(c). Substitute the following alternative for this paragraph if desired: "The definition of *public records*, for purposes of this policy, is the definition contained in Section 2(c) of FOIA without amendment."

### Requesting Records 5

A request for inspection and/or copies of public records must be made in writing and may be submitted by personal delivery, mail, telefax, or email directed to the District's Freedom of Information Officer. Individuals making a request are not required to state a reason for the request other than to identify when the request is for a commercial purpose or when requesting a fee waiver. The Superintendent or designee shall instruct District employees to immediately forward any request for inspection and copying of a public record to the District's Freedom of Information Officer or designee.

### Responding to Requests

The Freedom of Information Officer shall approve all requests for public records unless:

1. The requested material does not exist; 6
2. The requested material is exempt from inspection and copying by the Freedom of Information Act; 7 or
3. Complying with the request would be unduly burdensome. 8

Within five business days after receipt of a request for access to a public record, the Freedom of Information Officer shall comply with or deny the request, unless the time for response is extended as specified in Section 3 of FOIA.<sup>9</sup> The Freedom of Information Officer may extend the time for a response for up to five business days from the original due date.<sup>10</sup> If an extension is needed, the Freedom of Information Officer shall: (1) notify the person making the request of the reason for the

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<sup>5</sup> This section restates 5 ILCS 140/3(e). Districts may, but are not required to, accept oral requests. Compliance with an oral request may save off the formal written request and permit more flexibility in the response. Add this option if the district wants to accept oral requests: "Oral requests may be accepted provided personnel are available to handle them." The response to an oral request should be documented. Districts may provide a request form for convenience but may not require its use. See 2:250-E1, *Written Request for District Public Records*.

<sup>6</sup> FOIA does not require a public body to create a record (5 ILCS 140/1). However, compiling information already in the public body's possession into a different format in order to respond to a FOIA request does not constitute the creation of a new record (PAO 15-10) See also Hites v. Waukegan Community College, 2016 WL 150836 (Ill.App.Ct. June 6, 2016) (holding that databases which house aggregations of data and do not merely store documents are subject to FOIA).

<sup>7</sup> 5 ILCS 140/7 and 140/7.5 describe numerous explicit exceptions to the presumption that all public records are available for public inspection. Each record is "presumed to be open to inspection or copying" and the district will have "the burden of proving by clear and convincing evidence that it is exempt," (5 ILCS 140/3.2 and 140/11(f)). A person who prevails in a court proceeding to enforce FOIA will be awarded attorney's fees; the public body may incur a civil penalty of between \$2,500 and \$5,000 for each occurrence of a willful or intentional violation of FOIA or other action in bad faith; and courts may impose additional penalties of up to \$1,000 for each day the violation continues if (1) the board fails to comply with the court's order after 30 days, (2) the court's order is not on appeal or stayed, and (3) the court does not grant the public body additional time to comply with the court's order to disclose public records (5 ILCS 140/11(i) and (j)). Amended by P.A. 99-586, eff. 1-1-17. School officials should seek the board attorney's advice concerning the denial of a record request.

Two State laws limit the disclosure of employee personnel evaluations:

1. The Personnel Record Review Act prohibits the disclosure of performance evaluations (820 ILCS 40/11).
2. The School Code prohibits the disclosure of public school teacher, principal, and superintendent performance evaluations except as otherwise provided in the certified employee evaluation laws (105 ILCS 5/24A-7.1).

<sup>8</sup> 5 ILCS 140/3(g).

<sup>9</sup> 5 ILCS 140/3(d). Reasons for extensions are addressed at 5 ILCS 140/3(e). Public bodies must respond to FOIA requests (PAOs 16-05, 16-04, 16-04, and 16-03, and 16-01). Public bodies must also conduct a reasonable search for public records responsive to a FOIA request, which includes searching public employees' communications on personal devices or accounts for records pertaining to the transactive of public business (PAO 16-06).

<sup>10</sup> 5 ILCS 140/3(e).

extension, and (2) either inform the person of the date on which a response will be made, or agree with the person in writing on a compliance period. 11

The time periods are extended for responding to requests for records made for a *commercial purpose*, requests by a *recurrent requester*, or *voluminous requests*, as those terms are defined in Section 2 of FOIA. The time periods for responding to those requests are governed by Sections 3.1, 3.2, and 3.6 of FOIA. 12

When responding to a request for a record containing both exempt and non-exempt material, the Freedom of Information Officer shall redact exempt material from the record before complying with the request. 13

#### Fees 14

Persons making a request for copies of public records must pay any and all applicable fees. The Freedom of Information Officer shall establish a fee schedule that complies with FOIA and this policy and is subject to the Board's review. The fee schedule shall include copying fees and all other fees to the maximum extent they are permitted by FOIA, including without limitation, search and review fees for responding to a request for a *commercial purpose* and fees, costs, and personnel hours in connection with responding to a *voluminous request*.

Copying fees, except when fixed by statute, shall be reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. In no case shall the copying fees exceed the maximum fees permitted by FOIA. If the District's actual copying costs are equal to or greater than the maximum fees permitted by FOIA, the Freedom of Information Officer is authorized to use FOIA's maximum fees as the District's fees. No copying fees shall be charged for: (1) the first 50 pages of black and white, letter or legal sized copies, or (2) electronic copies other than the actual cost of the recording medium, except if the response is to a *voluminous request*, as defined in FOIA.

A fee reduction is available if the request qualifies under Section 6 of FOIA. The Freedom of Information Officer shall set the amount of the reduction taking into consideration the amount of material requested and the cost of copying it. 15

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11 5 ILCS 140/3(f). A board may replace the default paragraph with the following alternative: "The Freedom of Information Officer shall respond to record requests according to the time periods described in Section 3 of FOIA."

12 The timelines are extended to respond to a: (1) *recurrent requester* (defined in Sec. 2(g)); (2) request with a *commercial purpose* (defined in Sec. 2(e-10)); and (3) *voluminous request* (defined in Sec. 2(h)). To use the extended timelines, a district must follow the requirements in Sec. 3.24 for responding to a *recurrent requester*; Sec. 3.19 for responding to a request with a *commercial purpose*; and Sec. 3.6 (added by P.A. 98-1129) for responding to a *voluminous request*. See the administrative procedure, 2:250-AP1, *Access to and Copying of District Public Records*, for additional information.

13 5 ILCS 140/7. Redacting exempt portions is permitted, but not required, except that contractors' employees' addresses, telephone numbers, and social security numbers must be redacted before disclosure (5 ILCS 140/2.10). Reviewing past responses to FOIA requests will promote uniform treatment of requests for similar records.

14 5 ILCS 140/6, amended by P.A. 98-1129. The first paragraph's intent is to be efficient and avoid paraphrasing a complex law. The procedure 2:250-AP1, *Access to and Copying of District Public Records*, contains a fee schedule identifying the maximum fees permitted.

Section 6(a) states: "If a request is *not* a request for a *commercial purpose* or a *voluminous request*, a public body may *not* charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records." (Emphasis added.) This implies that a search and review fee may be charged when responding to a request for a *commercial purpose* or a *voluminous request*. However, Sec. 6(b) states that the search and review fee described in Sec. 6(f) may be charged *only* to someone making a *commercial request*. Sec. 6(f) contains the maximum amounts that may be charged for search and review but does not explain when they may be charged. The FOIA Officer will need to consult the board attorney concerning fees.

### Provision of Copies and Access to Records

A public record that is the subject of an approved access request will be available for inspection or copying at the District's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer. 16

Many public records are immediately available from the District's website including, but not limited to, the process for requesting a public record.<sup>17</sup> The Freedom of Information Officer shall direct a requester to the District's website if a requested record is available there. If the requester is unable to reasonably access the record online, he or she may resubmit the request for the record, stating his or her inability to reasonably access the record online, and the District shall make the requested record available for inspection and copying as otherwise provided in this policy. 18

### Preserving Public Records

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g., a litigation hold), District auditor, or other individual authorized by the School Board or State or federal law to make such a request.<sup>19</sup> Unless its

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<sup>15</sup> 5 ILCS 140/6(c) makes it mandatory to furnish records "without charge or at a reduced charge" if the request is in the public interest as defined by FOIA. If a board wants to indicate when a reduction is available by paraphrasing the statute, it may substitute the following alternative for the default paragraph:

A fee reduction is available if the person requesting the record states a specific purpose for the request and indicates that a fee reduction is in the public interest by having as its principal purpose the preservation of the general public's health, safety, welfare, or legal rights and is not for the principal purpose of personal or commercial benefit. The Freedom of Information Officer shall set the amount of the reduction, taking into consideration the amount of material requested and the cost of copying it.

<sup>16</sup> Public bodies may adopt rules for the times and places where records will be made available (5 ILCS 140/3(h)). A board may amend this sentence to reflect other times and/or places where records will be made available.

<sup>17</sup> 5 ILCS 140/4. A district may reduce FOIA requests by posting records on its website. Many records are required to be web-posted, see 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. If the district does not have a website, change this ~~section~~ as follows: "Some public records are available for immediate access including a description of the process for requesting a public record, and a list of all types or categories of records under its control."

For a list of required web-postings, see exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. Using the district's website is also a convenient way to comply with FOIA's requirement to identify documents that are immediately available (5 ILCS 140/3.5(a)). Although not required to be web-posted, a list of all types or categories of records under its control must be prepared and made available (5 ILCS 140/5). See 2:250-AP1, *Access to and Copying of District Public Records*.

<sup>18</sup> 5 ILCS 140/8.5, added by P.A. 98-1129.

<sup>19</sup> The Local Records Act, 50 ILCS 205/3, requires the preservation of records described in items #1-3. The preservation of records described in item #3 is also required by the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, and the IL School Student Records Act, 105 ILCS 10/, among other laws. An example of a record described in item #4 is a record subject to a litigation hold or a document preservation requirement pursuant to Federal Rules of Civil Procedure, Rules 16 and 26.

Categorizing email messages is complicated because two laws apply and the rules differ when a board member is a party. See sample policy 2:140, *Communications To and From the Board*, for a discussion of email between or among board members. When employees or agents are using email for school purposes, the email messages may be public records, but will not necessarily be subject to disclosure depending on the topics discussed. FOIA's list of exemptions from disclosure determines whether these emails are subject to disclosure. For exemptions, see 5 ILCS 140/7 and 140/7.5.

Not all email messages between or among employees must be preserved, even if they are public records for purposes of FOIA. The definition of public record in the Local Records Act, 50 ILCS 205/3, is narrower than its definition in FOIA. Thus, staff email, like all district records, must be retained only when it contains material described in #1-4. While this is a slippery slope without definitive parameters, employee email that is conversational or personal, or contains brainstorming may generally be deleted.

retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission. 20

LEGAL REF.: 5 ILCS 140, Illinois Freedom of Information Act.  
105 ILCS 5/10-16 and 5/24A-7.1.  
820 ILCS 40/11.  
820 ILCS 130/5.

CROSS REF.: 2:140 (Communications To and From the Board), 5:150 (Personnel Records),  
7:340 (Student Records)

The Prevailing Wage Act (820 ILCS 130/5, ~~amended by P.A.s 93-223 and 93-482~~) requires contractors, while participating in public works, to keep certified payroll records of all laborers, mechanics, and other workers employed by them on the project and to submit this record no later than the 15<sup>th</sup> of the month to the public body. The public body in charge of the project must keep the records submitted before 1-1-14 for a period of not less than ~~3~~ five years. Records submitted on or after 1-1-14 must be kept for a period of 5 ~~five~~ years. Records may be retained in paper or electronic format. These records must be made available in accordance with FOIA except that contractors' employees' addresses, telephone numbers, and social security numbers must be redacted before disclosure (5 ILCS 140/2.10).

20 50 ILCS 205/ Preservation and destruction of documents is covered in 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*. See also the Ill. Secretary of State's website for information on preserving and destroying records, ~~www.eybenrtrveillincis.com/departments/archives/records\_management/~~ [www.eybenrtrveillincis.com/departments/archives/records\\_management/records.htm](http://www.eybenrtrveillincis.com/departments/archives/records_management/records.htm)

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Comment: (IASB)'s Policy is unchanged. Footnotes reflect P.A. 99-046. It allows certain qualifying districts to appoint a chief executive officer to serve as an superintendent.

## General School Administration

### Superintendent <sup>1</sup>

#### Duties and Authority

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools in accordance with School Board policies and directives, and State and federal law. District management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law.<sup>2</sup> The Superintendent is authorized to develop administrative procedures and take other action as needed to implement Board policy and otherwise fulfill his or her responsibilities. The Superintendent may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the Superintendent by Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.<sup>3</sup>

#### Qualifications

The Superintendent must be of good character and of unquestionable morals and integrity. The Superintendent shall have the experience and the skills necessary to work effectively with the Board, District employees, students, and the community. The Superintendent must have and maintain a Professional Educator License with a superintendent endorsement issued by the Illinois State Educator Preparation and Licensure Board.<sup>4</sup>

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

<sup>1</sup> State law controls this policy's content. Unless the district has only one school with fewer than four teachers, the board must employ a superintendent or a chief executive officer as allowed under specific circumstances (105 ILCS 5/10-21.4, amended by P.A. 99-046). This statute assigns some specific duties to the superintendent including to: (1) make recommendations to the board concerning the budget, building plans, the locations of sites, the selection, retention, and dismissal of teachers and all other employees, the selection of textbooks, instructional material, and courses of study, (2) report to the board, ISBE, and chief administrative official any employee named in an abused child report, and (3) keep or cause to be kept the records and accounts as directed and required by the board, aid in making reports required by the board, and perform such other duties as the board may delegate to him/her. 105 ILCS 5/10-16.7 requires boards to direct, through policy, the superintendent, in his or her charge of the district's administration.

ISBE is required, subject to an annual appropriation by the General Assembly, to establish a new superintendent mentoring program. With limited exceptions, any individual serving as a first-time superintendent in Illinois must participate in the mentoring program for two school years (105 ILCS 5/2-3.53b). The ISBE-selected provider will assign a mentor to a new superintendent based on similarity of grade level or type of district, learning needs, and geographical proximity. The mentor must not be required to evaluate the new superintendent on the basis of the mentoring relationship.

<sup>2</sup> See 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*, for an annotated list of documents and reports that must be posted on the district's website, if the district has a website. While not comprehensive, see the IASB's *Annual School Calendar* for the required reports that do not need web-posting, available on the IASB website at: [www.iasb.com/pdf/schoolcal.pdf](http://www.iasb.com/pdf/schoolcal.pdf); <http://iasb.com/ann/>.

<sup>3</sup> This paragraph strengthens the policy's connection to the IASB's *Foundational Principles of Effective Governance*. It allows the superintendent broad delegation authority even when a policy fails to specifically provide for delegation.

<sup>4</sup> 105 ILCS 5/21B-20 and 5/21B-25 govern Professional Educator Licenses and superintendent endorsements. See also 23 Ill.Admin.Code §§25.355 (endorsements on or after 9-1-16/2019 [rule-only-over-the-year]), 25.360 (through 8-31-2019), 29.100 (Ill. Professional School Leader Standards), and 29.130 (Superintendent Standards).

## Evaluation

The Board will evaluate, at least annually, the Superintendent's performance and effectiveness, using standards and objectives developed by the Superintendent and Board that are consistent with the Board's policies and the Superintendent's contract.<sup>5</sup> A specific time should be designated for a formal evaluation session with all Board members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

The Superintendent shall annually present evidence of professional growth through attendance at educational conferences, in-service training, or similar continuing education pursuits.<sup>6</sup>

## Compensation and Benefits <sup>7</sup>

The Board and the Superintendent shall enter into an employment agreement that conforms to Board policy and State law. This contract shall govern the employment relationship between the Board and the Superintendent. The terms of the Superintendent's employment agreement, when in conflict with this policy, will control.

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-20.47, 5/10-21.4, 5/10-23.8, 5/21B-20, 5/21B-25, 5/24-11, and 5/24A-3.  
23 Ill.Admin.Code §§1.310, 1.705, and 29.130.

CROSS REF.: 2:20 (Powers and Duties of the School Board; Indemnification), 2:130 (Board-Superintendent Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives)

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<sup>5</sup> 105 ILCS 5/10-16.7 requires a board to evaluate the superintendent. See The Superintendent Evaluation Program on the IASB website. While greater detail may be added to this paragraph (e.g., a timeline, self-evaluation provision, and discussion requirements), a board must be sure that the policy and the superintendent's contract are consistent.

<sup>6</sup> The reporting requirements in this paragraph are optional, but school boards must "require evaluators to participate in an in-service training on the evaluation of licensed personnel provided or approved by [ISBE] prior to undertaking any evaluation and at least once during each license renewal cycle," (105 ILCS 5/24A-3).

<sup>7</sup> According to 105 ILCS 5/10-23.8, a superintendent must be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators; see Superintendent Performance Contracts, published by IASB. Residency requirements, if desired, should be included in a superintendent's employment contract.

The employment contract should be *in writing* even though the School Code does not require it to be written. Contact the board attorney for assistance. An administrator who is not working under a written contract is presumed to have a contract of one year's duration. Schaumburg Community Consolidated School Dist. v. TRS, 985 N.E.2d 305 (Ill.App.4, 2013)(interpreting 105 ILCS 5/10-23.8a). The Ill. Statute of Frauds may make it impossible to execute an *oral* multi-year administrator contract or to *orally* extend a multi-year written contract (740 ILCS 80/1).

The Open Meetings Act requires all Ill. Municipal Retirement Fund (IMRF) employers, which includes school boards, to: (1) within 6 business days after approving a budget, web-post each employee's total compensation package if it exceeds \$75,000 per year; and (2) at least ~~6-30~~ days before approval, web-post an employee's total compensation package if it is \$150,000 or more (5 ILCS 120/7.3). Conflicting opinions concern whether school districts must comply with these posting requirements for their employees who do not participate in IMRF. Contact the board attorney for advice.

Annually by Oct. 1, each school board must report to ISBE the base salary and benefits of the superintendent, administrators, and teachers it employs (105 ILCS 5/10-20.47). Before this annual reporting to ISBE, the information must be presented at a regular school board meeting and then posted on the district's website, if any.



## General School Administration

### Administrative Personnel Other Than the Superintendent <sup>1</sup>

#### Duties and Authority

The School Board establishes District administrative and supervisory positions in accordance with the District's needs and State law. This policy applies to all administrators other than the Superintendent, including without limitation, Building Principals. The general duties and authority of each administrative or supervisory position are approved by the Board, upon the Superintendent's recommendation, and contained in the respective position's job description. <sup>2</sup> In the event of a conflict, State law and/or the administrator's employment agreement shall control.

#### Qualifications

All administrative personnel shall be appropriately licensed and shall meet all applicable requirements contained in State law and Illinois State Board of Education rules. <sup>3</sup>

#### Evaluation

The Superintendent or designee shall evaluate all administrative personnel and make employment and salary recommendations to the Board. <sup>4</sup>

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

<sup>1</sup> State or federal law controls this policy's content. 105 ILCS 5/10-23.6a requires each principal, assistant principal, and other school administrator to be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators.

<sup>2</sup> Job descriptions are advisable, but optional. See policy 5:30, *Hiring Process and Criteria*, for a discussion of job descriptions. An ISBE rule (23 Ill.Admin.Code §1.310) allows *divided service*, meaning that a superintendent or principal may be employed by two school districts or serve in 2-two professional capacities provided that full-time equivalency results in a maximum of one full-time position. In districts with an enrollment of 100 or fewer, an individual may serve as superintendent/principal and teach up to ~~one~~ <sup>one and one-half</sup> day.

<sup>3</sup> 105 ILCS 5/21B-20 and 5/21B-25 govern Professional Educator Licenses and administrative, principal, and chief school business official endorsements. The requirements for supervisory or administrative staff are in 23 Ill.Admin.Code §1.705; the requirements for endorsements are in 23 Ill.Admin.Code Part 25, Subpart E. Standards for Administrative Endorsements are in 23 Ill.Admin.Code Part 29.

The following option may be added at the end of this paragraph:

Administrative personnel must reside in the District within a specified period as provided in their initial employment agreement.

State law (105 ILCS 5/24-4.1) prohibiting residency requirements for teachers does not apply to non-instructional personnel, e.g., assistant principals. *Owen v. Kankakee School Dist.*, 632 N.E.2d 1073 (Ill.App.3, 1994). A board may impose residency requirements on a principal or assistant principal only if the individual's initial contract with the district made residency an express condition of employment or continued employment as a principal (105 ILCS 5/10-21.4a). Residency within a district may not be considered in determining a principal's compensation, assignment, or transfer (*Id.*).

<sup>4</sup> All licensed school district employees must be evaluated (105 ILCS 5/24A-1, 23 Ill.Admin.Code §1.320). Each district must implement a performance evaluation plan for its principals and assistant principals (105 ILCS 5/24A-15, 23 Ill.Admin.Code §50.300). The statutory deadline for evaluating principals and assistant principals depends on whether the individual's employment contract is for one year or multiple years: (1) the evaluation of individuals on a single year contract must take place annually by March 1, and (2) the evaluation of individuals on a multi-year contract must take place by March 1 of the contract's final year (105 ILCS 5/24A-15). Individual contracts may require an earlier deadline. 105 ILCS 5/24A-3 requires that an individual who conducts an evaluation of a teacher, principal, or assistant principal, (1) be requalified before undertaking any evaluation, and (2) participates in a regularly scheduled retraining program.

Administrators shall annually present evidence to the Superintendent of professional growth through attendance at educational conferences, additional schooling, in-service training, and Illinois Administrators' Academy courses, or through other means as approved by the Superintendent. <sup>5</sup>

#### Administrative Work Year

The work year for administrators shall be the same as the District's fiscal year, July 1 through June 30, unless otherwise stated in the employment agreement. In addition to legal holidays, administrators shall have vacation periods as approved by the Superintendent. All administrators shall be available for work when their services are necessary. <sup>6</sup>

#### Compensation and Benefits

The Board and each administrator shall enter into an employment agreement that complies with Board policy and State law. <sup>7</sup> The terms of an individual employment contract, when in conflict with this policy, will control.

The Board will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board ~~no later than the March~~ Board meeting or at such earlier time that will allow the Board to consider contract renewal and nonrenewal issues. <sup>8</sup>

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

<sup>5</sup> The professional growth reporting requirements in this paragraph are optional. However, professional development activities are required for license renewal. 105 ILCS 5/21B-45, amended by P.A. 99-591, eff. 1-1-17, contains the license renewal process along with the professional development hours and carry over of these hours.

A school board must require the administrators who evaluate employees to complete training on the evaluation of licensed personnel that is provided or approved by ISBE (105 ILCS 5/24A-3 and 5/24A-20(a)(4)). Any prequalification process or retraining program developed and used by a school district must, at a minimum, meet the requirements of 23 Ill. Admin. Code Part 50, Subpart E. Administrative personnel must participate in this training (1) before they evaluate, and (2) at least once during each certificate renewal cycle (Id.).

<sup>6</sup> Legal holidays are provided by 105 ILCS 5/24-2.

<sup>7</sup> According to 105 ILCS 5/10-23.8a, a principal, assistant principal, and any other school administrator must be employed under either: (1) a one-year contract, in which case he or she gains and retains tenure rights, or (2) a multi-year performance-based contract, in which case he or she waives all tenure rights but does not lose any previously acquired tenure credit with the district. A multi-year performance-based contract must contain specific student performance and academic improvement goals and indicators.

The employment contract should be *in writing* even though the School Code does not require it to be written. Contact the board attorney for assistance. An administrator who is not working under a written contract is presumed to have a contract of one year's duration. Schaumburg Community Consolidated School Dist. v. TRS, 985 N.E.2d 305 (Ill. App. 4, 2013) (interpreting 105 ILCS 5/10-23.8a). The Ill. Statute of Frauds may make it impossible to execute an *oral* multi-year administrator contract or to *orally* extend a multi-year written contract (740 ILCS 80/1).

The Open Meetings Act requires all Ill. Municipal Retirement Fund (IMRF) employers, which includes school boards, to: (1) within ~~6-10~~ business days after approving a budget, web-post each employee's total compensation package if it exceeds \$75,000 per year; and (2) at least ~~6-10~~ days before approval, web-post an employee's total compensation package if it is \$150,000 or more (5 ILCS 120/7.3). Conflicting opinions concern whether school districts must comply with these posting requirements for their employees who do not participate in IMRF. Contact the board attorney for advice.

Annually by Oct. 1, each school board must report to ISBE the base salary and benefits of the superintendent, administrators, and teachers it employs (105 ILCS 5/10-20.47). Before this annual reporting to ISBE, the information must be presented at a regular school board meeting and then posted on the district's website, if any.

<sup>8</sup> State law does not address when the board should consider salary issues. The March deadline was chosen because the statutory notice deadline for reclassification is April 1 of the year in which a principal or assistant principal's contract expires unless the contract provides for an earlier deadline (105 ILCS 5/10-23.8b). Alternatively, the policy could require that recommendations be presented "in a timely manner."

Unless stated otherwise in individual employment contracts, all benefits and leaves of absence available to teaching personnel are available to administrative personnel. <sup>9</sup>

**LEGAL REF:** 105 ILCS 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, 5/21B, and 5/24A.  
23 Ill.Admin.Code §§1.310, 1.705, and 50.300; and Parts 25 and 29.

**CROSS REF:** 3:60 (Administrative Responsibility of the Building Principal), 5:30 (Hiring Process and Criteria), 5:250 (Leaves of Absence)

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<sup>9</sup> State law does not require that administrative and teaching personnel receive identical benefits and leaves of absence, but it does set the minimum in days and type for all certificated personnel.

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OK

Comment [KASB]: The policy is unchanged. Footnotes are updated to reflect P.A. 99-713 R. extended the time period during which a district may transmit money from specified funds for any purpose to 7-1-19.

## Operational Services

### Fiscal and Business Management<sup>1</sup>

The Superintendent is responsible for the School District's fiscal and business management.<sup>2</sup> This responsibility includes annually preparing and presenting the District's statement of affairs to the School Board and publishing it before December 1 as required by State law.<sup>3</sup>

The Superintendent shall ensure the efficient and cost-effective operation of the District's business management using computers, computer software, data management, communication systems, and electronic networks, including electronic mail, the Internet, and security systems. Each person using the District's electronic network shall complete an *Authorization for Access to the District's Electronic Network*.<sup>4</sup>

### Budget Planning

The District's fiscal year is from July 1 until June 30.<sup>5</sup> The Superintendent shall present to the Board, no later than the first regular meeting in August, a tentative budget with appropriate explanation.<sup>6</sup> This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for the District's educational program. The District's budget shall be entered upon the Illinois State Board of Education's "School District Budget Form."<sup>7</sup> To the extent possible, the tentative budget shall be balanced as defined by the State Board of Education guidelines. The Superintendent shall complete a tentative deficit reduction plan if one is required by the State Board of Education guidelines.<sup>8</sup>

### Preliminary Adoption Procedures

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

1. A public hearing on the proposed budget,<sup>9</sup> and
2. The proposed budget to be available to the public for inspection.<sup>10</sup>

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

<sup>1</sup> State or federal law controls this policy's content. Article 17 of the School Code controls budgeting, tax levies, and tax warrants.

<sup>2</sup> Boards are authorized to hire a chief school business official (105 ILCS 5/10-22.23a). Districts having a chief school business official may want to replace "Superintendent" with "Chief School Business Official" throughout this policy.

<sup>3</sup> 105 ILCS 5/10-17.

<sup>4</sup> See exhibits 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks*, and 6:235-AP1, E2, *Authorization for Access to the District's Electronic Networks*. Use of electronic networks in the curriculum is covered in policy 6:235, *Access to Electronic Networks*.

<sup>5</sup> The board sets the fiscal year (105 ILCS 5/17-1) and this sentence should reflect that local decision.

<sup>6</sup> The board must designate a person(s) to prepare a tentative budget (105 ILCS 5/17-1). The purpose of this policy's directive for the superintendent to present a tentative budget "no later than the first regular meeting in August" is to ensure that the budget can be adopted by September 30 (see fn 14). A board may amend this directive to give the superintendent additional flexibility by requiring him or her to present a tentative budget "during a regular Board meeting in August."

<sup>7</sup> Required by 105 ILCS 5/17-1. The budget instructions from ISBE detail when a deficit reduction plan must be completed.

<sup>8</sup> State law requires the budget to be balanced and, if not, a ~~20~~ year deficit reduction plan must be developed (105 ILCS 5/17-1).

<sup>9</sup> At least one public hearing must be held before final action on the budget (105 ILCS 5/17-1).

<sup>10</sup> The tentative budget must be conveniently available for public inspection for at least 30 days before final action on the budget (105 ILCS 5/17-1).

The Board Secretary shall arrange to publish a notice in a local newspaper stating the date, place, and time of the proposed budget's availability for public inspection and the public hearing.<sup>11</sup> The proposed budget shall be available for public inspection at least 30 days before the time of the budget hearing.

At the public hearing, the proposed budget shall be reviewed, and the public shall be invited to comment, question, or advise the Board.<sup>12</sup>

#### Final Adoption Procedures

The Board adopts a budget before the end of the first quarter of each fiscal year, September 30, or by such alternative procedure as State law may define.<sup>13</sup> To the extent possible, the budget shall be balanced as defined by the State Board of Education; if not balanced, the Board will adopt a deficit reduction plan to balance the District's budget within ~~3~~<sup>5</sup> years according to State Board of Education requirements.<sup>14</sup>

The Board adopts the budget by roll call vote. The budget resolution shall be incorporated into the meeting's official minutes. Board members' names voting *yea* and *nay* shall be recorded in the minutes.<sup>15</sup>

The Superintendent or designee shall perform each of the following:

1. Post the District's final annual budget, itemized by receipts and expenditures, on the District's Internet website; notify parents/guardians that it is posted and provide the website's address.<sup>16</sup>
2. File a certified copy of the budget resolution and an estimate of revenues by source anticipated to be received in the following fiscal year, certified by the District's Chief Fiscal Officer, with the County Clerk within 30 days of the budget's adoption.<sup>17</sup>
3. Make all preparations necessary for the Board to timely file its Certificate of Tax Levy, including preparations to comply with the Truth in Taxation Act; file the Certificate of Tax Levy with the County Clerk on or before the last Tuesday in December. The Certificate lists the amount of property tax money to be provided for the various funds in the budget.
4. Submit the annual budget, a deficit reduction plan if one is required by State Board of Education guidelines, and other financial information to the State Board of Education according to its requirements.<sup>18</sup>

Any amendments to the budget or Certificate of Tax Levy shall be made as provided in the School Code and Truth in Taxation Act.<sup>19</sup>

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<sup>11</sup> 105 ILCS 5/17-1 makes the board secretary responsible for this public notice at least 30 days before the hearing. If there is no newspaper published in the district, notice must be given by posting notices in ~~5~~<sup>5-10</sup> public places (105 ILCS 5/17-1).

<sup>12</sup> State law does not address what transpires during the budget hearing.

<sup>13</sup> Required by 105 ILCS 5/17-1 and 5/17-3.2.

<sup>14</sup> Required by 105 ILCS 5/17-1. See 7th 8.

<sup>15</sup> Required by 105 ILCS 5/10-7.

<sup>16</sup> Required by 105 ILCS 5/17-1.2, *only if the district has a website*. Do not add this sentence unless the district has a website.

<sup>17</sup> Required by 35 ILCS 200/18-50, which refers to "appropriation and budget ordinances or resolutions." School districts adopt budgets by board resolution. The budget serves as the district's appropriation.

<sup>18</sup> Required by 105 ILCS 5/17-1.

<sup>19</sup> 105 ILCS 5/17-11 and 35 ILCS 200/18-55.

### Budget Amendments

The Board may amend the budget by the same procedure as provided for in the original adoption.<sup>20</sup>

### Implementation

The Superintendent or designee shall implement the District's budget and provide the Board with a monthly financial report that includes all deficit fund balances. The amount budgeted as the expenditure in each fund is the maximum amount that may be expended for that category, except when a transfer of funds is authorized by the Board.

The Board shall act on all interfund loans<sup>21</sup>, interfund transfers<sup>22</sup>, transfers within funds<sup>23</sup>, and transfers from the working cash fund or abatements of it, if one exists.<sup>24</sup>

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

CROSS REF.: 4:40 (Incurring Debt), 6:235 (Access to Electronic Networks)

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

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

<sup>20</sup> 105 ILCS 5/17-1; 23 Ill.Admin.Code Part 100.

<sup>21</sup> 105 ILCS 5/10-22.33, 5/20-4, 5/20-5, 5/20-8, and 5/20-10 and 23 Ill.Admin.Code §100.50. If the district loans money from the working cash fund to another fund, Section 5/20-10 requires the district to maintain a credit to the working cash fund (meaning that borrowing fund must repay the working cash fund).

<sup>22</sup> 105 ILCS 5/17-2A contains the requirements for a permanent transfer. P.A. ~~98-13499-713~~ extended the time period during which a district may transfer money from specified funds for any purpose to July 1, 201~~02~~.

<sup>23</sup> Transfers between the various items in any fund may not exceed in the aggregate ~~10-50~~ percent of the total of such fund as set forth in the budget. If the aggregate exceeds ~~10-50~~ percent, the board must amend the budget (105 ILCS 5/17-1).

<sup>24</sup> The purpose of the working cash fund is to enable the school district "to have in its treasury at all times sufficient money to meet demands for expenses," (105 ILCS 5/20-1). School officials, including board members, are liable "for any sum that may be unlawfully diverted from the working cash fund ...," 105 ILCS 5/20-6.

105 ILCS 5/20-10 codified a long-held practice and understanding of Ill. school districts. A district may abate (reduce the funds) money from the working cash fund at any time and transfer it to any district fund or funds most in need of the money, provided that the district maintains an amount to the credit of the working cash fund. This was a legislative overturn of a case concluding that any permanent transfer, including abatements, of the working cash fund should be transferred only to the education fund (see *G.I.S. Venture v. Novak*, 902 N.E.2d 744 (Ill.App. 2nd Dist., 2009); *G.I.S. Venture v. Novak*, 2014 IL App. (2d) 130244 (9/30/2014)). Abolishments (deplete all funds) of the working cash fund must still be transferred to the education fund only.

## Operational Services

### Purchases and Contracts <sup>1</sup>

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

#### Standards for Purchasing and Contracting

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

All purchases and contracts should support a recognized District function or purpose as well as provide for good quality products and services at the lowest cost, with consideration for service, reliability, and delivery promptness, and in compliance with State law.<sup>2</sup> No purchase or contract shall be made or entered into as a result of favoritism, extravagance, fraud, or corruption.

Adoption of the annual budget authorizes the Superintendent or designee to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items outside budget parameters require prior Board approval, except in an emergency.<sup>3</sup>

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

1. Supplies, materials, or work involving an expenditure in excess of \$25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.<sup>4</sup>
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 *et seq.*
4. Third party non-instructional services must comply with 105 ILCS 5/10-22.34c.<sup>5</sup>

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

<sup>1</sup> State law controls this policy's content. 105 ILCS 10-20.21 contains bidding plus other requirements. Other laws also govern district contracts. For example, the Prevailing Wage Act requires, among other things, that a district specify in all contracts for public works that the prevailing wage rate must be paid (820 ILCS 130). When a district awards work to a contractor without a public bid, contract, or project specification, the district must provide the contractor with written notice on the purchase order or a separate document indicating that not less than the prevailing rate of wages shall be paid to all laborers, workmen, and mechanics performing work on the project. In addition, the district must notify all contractors of any rate changes by the Dept. of Labor. The law allows a district to discharge this duty by including the following language in all contracts: "Any prevailing rate of wages as they are revised by the Dept. of Labor shall apply to this contract. You are notified that any rate changes to the prevailing wage rate are available on the Dept.'s official website." (820 ILCS 130/4 amended by P.A. 97-964, eff. 1-1-13, and see 4:60-E, *Notice to Contractors* for sample language).

<sup>2</sup> This end statement should be amended according to local board discretion.

<sup>3</sup> An optional addition follows: "Notwithstanding the above, the Superintendent shall not consent to any single, non-customary purchase or expenditure, excluding personnel, of greater than \$\_\_\_\_\_ without prior Board approval." This optional provision's intent is to provide an internal control as well as to keep the board involved when the district is making a large purchase or expenditure, e.g., copiers, computers, textbooks, or something that might not happen every year. It is intended to cover purchases/expenditures regardless of whether they were previously budgeted.

<sup>4</sup> See 4:60-AP1, *Purchases*, for bidding exemptions and the requirements for electronic bid opening. A board may set a lower bidding threshold by policy but should first seek its attorney's advice because such action may expand a board's vulnerability to a bidding challenge.

5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21. The Superintendent or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Superintendent or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget. <sup>6</sup>

6. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10).<sup>7</sup>

6.7. The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Board policy 4:70, Resource Conservation. <sup>8</sup>

7.8. Each contractor with the District is bound by each of the following:

a. In accordance with 105 ILCS 5/10-21.9(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS 5/10-21.9(c) and 5/21B-80(c)<sup>9</sup> to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibits any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense;<sup>10</sup> and (23) require each of its employees who will have direct, daily contact with student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her. <sup>11</sup>

b. In accordance with 105 ILCS 5/24-5: (1) concerning each employee who begins providing services in the District after June 16, 2014, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease if the employee will have direct, daily contact with one or more student(s); and (2) require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis

<sup>5</sup> Concerning collective bargaining requirements, see *McLean Co. Unit Dist. 5 v. AFSCME & IELRB*, 2014 Ill. App. (4th), No. 4-13-0294 (6-4-~~30~~14)(good faith bargaining on the decision to subcontract requires notice of the consideration of the subcontract before it is finalized; meeting with the union to provide an opportunity to discuss and explain the decision; providing information to the union; and giving consideration to any counterproposal the union makes).

<sup>6</sup> 105 ILCS 5/10-20.21(b-5).

<sup>7</sup> 105 ILCS 5/10-20.21(b-10), added by P.A. 99-552.

<sup>8</sup> 105 ILCS 5/10-20.19c.

<sup>9</sup> 105 ILCS 5/21B-80, amended by P.A. 99-667.

<sup>10</sup> Id.

<sup>11</sup> The implementation process is in 4:60-AP3, Administrative Procedure - *Criminal History Records Check of Contractor Employees*. See 5:30-AP2, *Investigations*, for a list of offenses which disqualify an individual from having direct, daily contact with one or more students until seven years following the end of the individual's sentence for the criminal offense.



screening, as required by the Illinois Department of Public Health rules or order of a local health official. <sup>12</sup>

The Superintendent or designee shall: (1) execute the reporting and website posting mandates in State law concerning District contracts, and (2) monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided. <sup>13</sup>

**LEGAL REF.:** 105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-21.9, 5/10-22.34c, 5/19b-1 et seq., and 5/24-5.  
820 ILCS 130/.

**CROSS REF.:** 2:100 (Board Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs), 4:175 (Convicted Child Sex Offender; Criminal Background Check and/or Screening; Notifications)

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<sup>12</sup> P.A. 98-716, effective 7-16-2014, expanded the scope of 105 ILCS 5/24-5 by adding a definition of *employee* that includes contractors' employees for whom a criminal history records check is required. As of Aug. 2014, the Ill. Dept. of Public Health does not require school employees to be screened for tuberculosis other than workers in child day care and preschool settings (77 Ill.Admin.Code §696.140(a)(3)). Before requesting a contractor's employee for a health examination, contact the board attorney concerning this action's legality under other personnel laws, including the Americans with Disabilities Act.

<sup>13</sup> This is an optional provision. The numerous reporting and website posting mandates are in 2250-32, *Immediately Available District Public Records and Web-Posted Reports and Records*. As an alternative to the policy's default language, a board may insert the underscored:

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

## Operational Services

### Accounting and Audits <sup>1</sup>

The School District's accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*, as adopted by the Illinois State Board of Education, State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board. The Superintendent, in addition to other assigned financial responsibilities, shall report monthly on the District's financial performance, both income and expense, in relation to the financial plan represented in the budget.

### Annual Audit <sup>2</sup>

At the close of each fiscal year, the Superintendent shall arrange an audit of the District funds, accounts, statements, and other financial matters. The audit shall be performed by an independent certified public accountant designated by the Board and be conducted in conformance with prescribed standards and legal requirements. A complete and detailed written audit report shall be provided to each Board member and to the Superintendent. The Superintendent shall annually, on or before October 15, submit an original and one copy of the audit to the Regional Superintendent of Schools.

### Annual Financial Report <sup>3</sup>

The Superintendent or designee shall annually prepare and submit the Annual Financial Report on a timely basis using the form adopted by the Illinois State Board of Education. The Superintendent shall review and discuss the Annual Financial Report with the Board before it is submitted.

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

<sup>1</sup> State or federal law controls this policy's content. A board policy or resolution is required concerning revolving funds and petty cash (23 Ill.Admin.Code §100.70). This policy is intended to facilitate the board's fiscal oversight role. The last sentence of the first paragraph should be modified to align with local conditions. The *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing* replaced 23 Ill.Admin.Code Part 110 *Program Accounting Manual* and 23 Ill.Admin Code Part 125 *Student Activity Funds and Convenience Accounts*. The *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing* is at 23 Ill.Admin.Code Part 100.

<sup>2</sup> Audit requirements are found in 105 ILCS 5/3-7 and 5/3-15.1, and 23 Ill.Admin.Code §100.110. The federal Single Audit Act adds audit requirements for federal programs (31 U.S.C. §7301 et seq.).

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" 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.

The following optional sentence establishes an audit committee: "The Board will annually establish an audit committee to help the Board select an external auditor, confer with the auditor regarding the audit's scope, and oversee the audit process." Note: ~~all~~ **all** board committees are subject to the Open Meetings Act.

The following optional sentence establishes a competitive process for selecting the external auditor; it prevents a long-term relationship with an auditor and reduces the possibility of audits being too routine or friendly: "The Board will annually advertise a request for proposals to perform the external audit." Substitute "periodically" for "annually" if desired.

<sup>3</sup> Requirements for the annual financial report are found in 105 ILCS 5/2-3.27 and 5/3-15.1; 23 Ill.Admin.Code §100.100. The last sentence of this section should be modified to align with local conditions.

#### Inventories 4

The Superintendent or designee is responsible for establishing and maintaining accurate inventory records. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost.

#### Disposition of District Property 5

The Superintendent or designee shall notify the Board, as necessary, of the following so that the Board may consider its disposition: (1) District personal property (property other than buildings and land) that is no longer needed for school purposes, and (2) school site, building, or other real estate that is unnecessary, unsuitable, or inconvenient. Notwithstanding the above, the Superintendent or designee may unilaterally dispose of personal property of a diminutive value.

#### Taxable Fringe Benefits 6

The Superintendent or designee shall: (1) require that all use of District property or equipment by employees is for the District's convenience and best interests unless it is a Board-approved fringe benefit, and (2) ensure compliance with the Internal Revenue Service regulations regarding when to report an employee's personal use of District property or equipment as taxable compensation.

#### Controls for Revolving Funds and Petty Cash 7

Revolving funds and the petty cash system are established in Board policy 4:50, *Payment Procedures*. The Superintendent shall: (1) designate a custodian for each revolving fund and petty cash fund, (2) obtain a bond for each fund custodian, and (3) maintain the funds in compliance with this policy, State law, and Illinois State Board of Education rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. Bank accounts for revolving funds are limited to a maximum balance of \$500.00. All expenditures from these bank accounts must be directly related to the purpose for which the account was established and supported with documentation, including signed invoices or receipts. All deposits into these bank accounts must be accompanied with a clear description of their intended purpose. The Superintendent or designee shall include checks written to reimburse revolving funds on the Board's monthly listing of bills indicating the recipient and including an explanation.

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

4 The Illinois Program Accounting Manual (IPAM) was repealed and replaced with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*. While these new rules contain much of the IPAM information, the information about inventories was not included. That information is still useful and may be found at [www.ilsos.state.il.us/offices/pdffiles/ipam.pdf](http://www.ilsos.state.il.us/offices/pdffiles/ipam.pdf). The last sentence of this section should be modified to align with local conditions.

5 The requirements in this section are specified in 105 ILCS 5/5-22, amended by P.A. 99-794, eff. 1-1-17 (allowing property constructed or renovated by students as part of a curricular program to be sold through the services of a licensed real estate broker, subject to certain requirements) and 5/10-22.8. A board that desires to act on the disposition of property having any value should use the following alternative to this section's last sentence: "Notwithstanding the above, the Superintendent or designee may unilaterally dispose of worthless personal property."

6 The intent of this optional section is twofold: (1) to control personal use of district property and equipment, and (2) to ensure compliance with IRS rules. As to the first point, allowing personal use of district property or equipment is arguably prohibited by the Ill. Constitution, Art. VIII, Sec 1 which states: "Public funds, property or credit shall be used only for public purposes." As to the second point, any fringe benefit an employer provides is taxable and must be included in the recipient's pay unless the law specifically excludes it. See Publication 15-B (2008), *Employer's Tax Guide to Fringe Benefits*, [www.irs.gov/pub/irs-pdf/p15b.pdf](http://www.irs.gov/pub/irs-pdf/p15b.pdf).

7 105 ILCS 5/10-20.19; 23 Ill.Admin.Code §100.70. This paragraph's contents are mandatory, except for the \$500 cap on the maximum balance of revolving funds. The cap amount may be changed or the following alternative used: "Each revolving fund shall be maintained in a bank that has been approved by the Board and established in an amount approved by the Superintendent consistent with the annual budget."

### Control Requirements for Checks <sup>8</sup>

The Board must approve all bank accounts opened or established in the District's or a District school's name or with the District's Federal Employer Identification Number. All checks issued by the School District must be signed by either the Treasurer or Board President, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

### Internal Controls <sup>9</sup>

The Superintendent is primarily responsible for establishing and implementing a system of internal controls for safeguarding the District's financial condition; the Board, however, will oversee these safeguards. The control objectives are to ensure efficient business and financial practices, reliable financial reporting, and compliance with State law and Board policies, and to prevent losses from fraud, employee error, misrepresentation by third parties, or imprudent employee action.

The Superintendent or designee shall annually audit the District's financial and business operations for compliance with established internal controls and provide the results to the Board. The Board may from time-to-time engage a third party to audit internal controls in addition to the annual audit.

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

<sup>8</sup> This section is largely up to the local board's discretion; additional controls may be added. The following alternative to the second sentence will mandate two signatories for checks:

Two of the following individuals, the Treasurer, Board President, and/or Board Vice-President, shall sign all checks issued by the School District, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

A board must comply with State law requirements concerning the use of facsimile or electronic signatures on checks. The Secretary of State, Index Department, maintains certified manual signatures of officers authorized to sign checks (Uniform Facsimile Signature of Public Officials Act, 30 ILCS 320/). Electronic records and signatures are governed by the Electronic Commerce Security Act (5 ILCS 175/5). Attorneys disagree about the applicability of these laws to school districts.

<sup>9</sup> This section is largely up to the local board's discretion. The annual audit must include a "review and testing of the internal control structure" (23 ILAdmin.Code §100.110). This review's limited scope means that boards should not rely on it to reveal uncontrolled financial risks. The board's responsibility is to establish policy to safeguard the district's financial condition. Indeed, the oath of office includes this promise: "I shall respect taxpayer interests by serving as a faithful protector of the school district's assets." In this sample policy, the board sets the control objectives and the superintendent is responsible for developing an internal controls system.

Boards that wish to take a larger oversight role regarding internal controls may list the numbered sentences in the IASB sample administrative procedure 4:80-AP, *Checklist for Internal Controls*, as required inclusions in the superintendent's program for internal controls. This alternative, for insertion at the end of this section's first paragraph, follows:

The District's system of internal controls shall include the following:

1. All financial transactions must be properly authorized and documented.
2. Financial records and data must be accurate and complete.
3. Accounts payable must be accurate and punctual.
4. District assets must be protected from loss or misuse.
5. Incompatible duties should be segregated, if possible.
6. Accounting records must be periodically reconciled.
7. Equipment and supplies must be safeguarded.
8. Staff members with financial or business responsibilities must be properly trained and supervised, and must perform their responsibilities with utmost care and competence.
9. Any unnecessary weaknesses or financial risks must be promptly corrected.

**LEGAL REF.:** 105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.A, 5/10-20.19, 5/10-22.B, and 5/17-1 et seq.  
23 Ill.Admin.Code Part 100.

**CROSS REF.:** 4:10 (Fiscal and Business Management), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 4:90 (Activity Funds)

## Operational Services

### Free and Reduced-Price Food Services <sup>1</sup>

#### Notice

The Superintendent shall be responsible for implementing the District's free and reduced-price food services policy and all applicable programs. <sup>2 3</sup>

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

<sup>1</sup> State or federal law controls this policy's content. A policy on eligibility for free and reduced-price meals is required by 7 C.F.R. §245.10 for districts participating in the National School Lunch or Breakfast Programs. See *fn. 2* below for more information about programs.

<sup>2</sup> Every public school must have a free lunch program (School Breakfast and Lunch Program Act, 105 ILCS 125/4).

Each school where at least 40% or more of the students are eligible for free or reduced-price lunches must operate a school breakfast program (Childhood Hunger Relief Act, 105 ILCS 126/15). A school district may opt-out if the expense reimbursement would not fully cover the costs of implementing and operating the breakfast program. To do so, the district must petition its regional superintendent by February 15. The regional superintendent, after a public hearing, and by March 15, informs the district of his or her decision. If the regional superintendent does not grant an exemption, the district must implement a school breakfast program by the first student attendance day of the next school year. However, the school district or a resident of the school district may appeal the regional superintendent's decision to the State Superintendent of Education.

School districts must, by February 15, promulgate a plan to serve breakfast and/or lunch at each school where 50% or more of the students are eligible for free or reduced-price school meals *and* have a summer school program operating during the summer months. 105 ILCS 126/20. School districts must implement these programs every summer as long as the school district has a school or schools that meet the criteria. If a school building with a 50% or greater free and reduced percentage does not operate a summer school program, the school district shall make information available regarding the number of children in the school eligible for free or reduced-price school meals upon request by a non-profit organization. A school district may utilize an *opt-out* provision if documentation shows the expense reimbursement would not fully cover the costs of implementing and operating a program. To do so, the district must petition its regional superintendent of schools by January 15. The regional superintendent, after a public hearing, and by March 1, informs the district of his or her decision. If the regional superintendent does not grant an exemption, the district must implement and operate the summer food program the summer following the current school year. However, the school district or a resident of the school district may appeal the regional superintendent's decision to the State Superintendent of Education who shall hear appeals and make a final decision no later than April 1. Resources for promulgating a plan for a summer breakfast or lunch (or both) food service program are available on ISBE's website at: [www.isbe.net/nutrition/html/national\\_school\\_lunch.htm](http://www.isbe.net/nutrition/html/national_school_lunch.htm) and [www.isbe.net/nutrition/html/summer.htm](http://www.isbe.net/nutrition/html/summer.htm).

105 ILCS 126/16, added by P.A. 99-850, eff. 1-1-17, requires qualifying school districts to implement and operate a breakfast after the bell program by the first school day of the 2017-2018 academic year in each of its school buildings where:

1. At least 70% or more of the students are eligible for free or reduced-price lunches based upon the previous year's October claim (for those schools that participate in the National School Lunch Program),
2. At least 70% or more of the students are classified as low-income according to the Fall Housing Data from the previous year (for those schools that do not participate in the National School Lunch Program), or
3. An individual building's site percentage for free or reduced-price meals of 70% or more (for those schools using Provision 2 under Section 11(a)(1) of the federal Richard B. Russell National School Lunch Act or the Community Eligibility Provision under Section 104(a) of the federal Healthy, Hunger-Free Kids Act of 2010 to provide universal meals).

Schools that fall below the applicable 70% threshold for two consecutive years may either continue participating in the program or discontinue it (*Id.*).

Each school under this Section may determine the breakfast after the bell service model that best suits its students. Service models include, but are not limited to, breakfast in the classroom, grab and go breakfast, and second-chance breakfast (*Id.* at (c)).

A district is not required to implement a breakfast after the bell program when it can demonstrate that:

- i) Delivery of school breakfasts effectively, as defined by 70% or more of free or reduced-price eligible students participating in the School Breakfast Program, or

#### Eligibility Criteria and Selection of Children <sup>4</sup>

A student's eligibility for free and reduced-price food services shall be determined by the income eligibility guidelines, family-size income standards, set annually by the U.S. Department of Agriculture and distributed by the Illinois State Board of Education.

#### Notification <sup>5</sup>

At the beginning of each school year, by letter, the District shall notify students and their parents/guardians of: (1) eligibility requirements for free and reduced-price food service; (2) the application process; (3) the name and telephone number of a contact person for the program; <sup>6</sup> and (4) other information required by federal law. The Superintendent shall provide the same information to: (1) informational media, the local unemployment office, and any major area employers contemplating layoffs; <sup>7</sup> and (2) the District's website (if applicable), all school newsletters, or students' registration materials. <sup>8</sup> Parents/guardians enrolling a child in the District for the first time, any time during the school year, shall receive the eligibility information.

*via online notification and within our online registration process*

#### Nondiscrimination Assurance <sup>9</sup>

The District shall avoid publicly identifying students receiving free or reduced-price meals and shall use methods for collecting meal payments that prevent identification of children receiving assistance.

*also provide this info. to families.*

*ii. Its reimbursement for the program would not fully cover its implementation and operation costs due to district-specific circumstances (a cost analysis must be submitted to the school board, the board must hold a public hearing, and the board must pass a resolution that the district cannot afford to operate a breakfast after the bell program).*

*A board must post the time, date, place, and general subject matter of the public hearing on its website and notify the State Board of Education at least 14 days prior to the hearing (id. at (d)).*

<sup>3</sup> 7 C.F.R. §245.10(a)(1).

<sup>4</sup> 7 C.F.R. §245.3; see also the subhead titled Household Eligibility Criteria on State Board of Education's website at: [www.isbe.net/section/initial/forms\\_for\\_parents/](http://www.isbe.net/section/initial/forms_for_parents/). If a child transfers from one district school to another district school, his or her eligibility for free or reduced price meals or for free milk, if previously established, is honored by the receiving school.

Beginning in the year 2011-2012, the U.S. Dept. of Agriculture and Education implemented a new claiming option for providing reimbursements to school districts that provides free breakfasts and lunches to all students in schools with significantly economically disadvantaged populations. It is called the Community Eligibility ~~Program~~ <sup>Provision Option</sup> (CEPO). For more information about qualifying for and claiming through this reimbursement method, see [www.isbe.net/publications/pdf/02-12.pdf](http://www.isbe.net/publications/pdf/02-12.pdf).

For districts that qualify for and claim the CEPO, insert the following sentence at the end of the first sentence:

From time to time, the income eligibility guidelines and standards may not be necessary when reimbursements for students' free breakfasts and lunches are claimed through the U.S. Dept. of Agriculture and Education's Community Eligibility ~~Program~~ <sup>Provision Option</sup> (CEPO). When claiming the CEPO, the District will follow its requirements.

All subheads in this policy that detail the legal requirements under State and federal laws continue to apply when CEPO is used and should remain in the policy.

<sup>5</sup> 7 C.F.R. §245.5; 23 Ill.Admin.Code §305.10(e). Any change in the eligibility criteria must be announced according to 7 C.F.R. §245.5(b).

<sup>6</sup> 23 Ill.Admin.Code §305.10(c) requires notification of this one additional piece of information.

<sup>7</sup> 7 C.F.R. §245.5.

<sup>8</sup> 23 Ill.Admin.Code §305.10(e). Only one medium must be used; a board may choose one medium and delete the others from the policy or use them all.

<sup>9</sup> 7 C.F.R. §§245.8 and 245.10(a)(4).

#### Appeal 10

*CSABO* A family may appeal the District's decision to deny an application for free and reduced-price food services or to terminate such services as outlined by the U.S. Department of Agriculture in 7 C.F.R. §245.7, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools. The Superintendent shall establish a hearing procedure for adverse eligibility decisions and provide by mail a copy of them to the family. The District may also use these procedures to challenge a child's continued eligibility for free or reduced-price meals or milk.

During an appeal, students previously receiving food service benefits shall not have their benefits terminated. Students who were denied benefits shall not receive benefits during the appeal.

*CSABO* The Superintendent shall keep on file for a period of ~~three~~ 2-years a record of any appeals made and the hearing record. The District shall also maintain accurate and complete records showing the data and method used to determine the number of eligible students served free and reduced-price food services. These records shall be maintained for ~~three~~ 2-years.

LEGAL REF.: U.S. Dept. of Agriculture, Food and Nutrition Service, National School Lunch Program, 7 C.F.R. Part 210.  
U.S. Dept. of Agriculture, Food and Nutrition Service, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools, 7 C.F.R. Part 245.  
105 ILCS 125/ and 126/.  
23 IllAdmin.Code §305.10 et seq.

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The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.  
10 7 C.F.R. §245.7. The minimal hearing requirements are also found there.



Comment [KAS1]: Policy is unchanged. Footnote are updated to incorporate (1) the Reemployment Bureau Act, P.A. 99-582, eff. 1-1-17, (2) amended transfer, P.A. 99-713, and (3) amendments to Health/Life and Safety Code for Public Schools at 25 IL Admin Code Part 166, amended at 40 Ill Reg 3059

### Operational Services

#### Facility Management and Building Programs 1

*In conjunction with the Director of Facilities*

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

#### Standards for Managing Buildings and Grounds

All District buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy efficient physical environment for learning and teaching. The Superintendent or designee shall provide the Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. Prior Board approval is needed for all renovations or permanent alterations to buildings or grounds when the total cost will exceed \$12,500, including the cost equivalent of staff time. 3 This policy is not intended to discourage efforts to improve the appearance of buildings or grounds that are consistent with the designated use of those buildings and grounds.

*#25,000*

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

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

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

The Prevailing Wage Act is generally applicable to all construction projects (820 ILCS 130/). It requires, among other things, that: (1) all workers on a public works project be paid no less than the prevailing hourly rate (820 ILCS 130/1), (2) the district specify in all public works contracts that the prevailing rate must be paid (820 ILCS 130/4(a-1)), and (3) all contractors must submit certain employment records to the district and the district must keep these records as required by law (820 ILCS 130/5, *amended by P.A. 98-322 and 98-482*).

2 105 ILCS 5/3-14.20 and 5/3-14.21.

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." *The Regional Office of Education for Suburban Cook County was abolished and its duties and powers transferred to the Intermediate Service Center for the area by P.A. 96-393.*

3 This provision is optional and the amount may be changed. The \$12,500 spending limit is one-half of the bidding threshold for purchases or contracts (105 ILCS 5/10-20.21). This provision's intent is to ensure that the board is kept informed about significant renovations and permanent alterations. A board should discuss this provision with its superintendent before including it in the policy.

#### Standards for Green Cleaning 4

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

#### Standards for Facility Construction and Building Programs 5

As appropriate, the Board will authorize a comprehensive study to determine the need for facility construction and expansion. On an annual basis, the Superintendent or designee shall provide the Board with projected facility needs, enrollment trends, and other data impacting facility use. Board approval is needed for all new facility construction and expansion.

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

1. Integrate facilities planning with other aspects of planning and goal-setting.
2. Base educational specifications for school buildings on identifiable student needs.

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*4 Required by the Green Cleaning School Act (105 ILCS 140/) and Green Cleaning for Elementary and Secondary Schools (23 Ill.Admin.Code Part 2800). The ~~Guidelines and Specifications~~, established by the Ill. Green Government Coordinating Council ~~established Guidelines and Specifications~~, which state: "While not mandatory, schools should implement the practices set forth in the Recommendations section of these guidelines where applicable and appropriate. ~~Ill. schools may continue to use their current cleaning supplies, equipment and policies, until such time as the supplies and equipment on hand as of May 9, 2008 are exhausted.~~" See:*

*[www.illinois.gov/gov/green/Documents/Illinois%20Green%20Cleaning%20Guidelines%20and%20Specifications.pdf](http://www.illinois.gov/gov/green/Documents/Illinois%20Green%20Cleaning%20Guidelines%20and%20Specifications.pdf)  
[www.standingupforillinois.org/green/school\\_cleaning.php](http://www.standingupforillinois.org/green/school_cleaning.php)  
[www.standingupforillinois.org/upload/20080122GCSAGuidelines.pdf](http://www.standingupforillinois.org/upload/20080122GCSAGuidelines.pdf)*

*5 105 ILCS 5/2-3.12 and 23 Ill.Admin.Code Part 180 contain the ~~School building code and Health, Life and Safety Code for Public Schools, respectively~~. Among ~~its~~ mandates ~~is~~ the decennial safety survey report (105 ILCS 5/2-31.2(b); 23 Ill.Admin.Code §180.310). After 1-1-2015, all "new school building construction" must include a storm shelter that meets or exceeds the ICC/NSSA Standard for the Design and Construction of Storm Shelters (ICC-500) published jointly by the International Code Council and the National Storm Shelter Association (105 ILCS 5/2-3.12(a-5); 23 Ill.Admin.Code §180.60(b)(3), amended at 40 Ill. Reg. 3059; P.A. 98-882, eff. 1-1-2014). Any facility project for which the design contract is executed after 7-1-16 must meet standards of the 2015 International Building Code and its subcodes (23 Ill.Admin.Code 180.60(a), amended at 40 Ill. Reg. 3059).*

*The Ill. Environmental Barriers Act (410 ILCS 25/) and the Ill. Accessibility Code (71 Ill.Admin.Code Part 400) ensure that "all applicable buildings and facilities in the State of Illinois are so designed, constructed, and/or altered to ensure the safety and welfare of all members of society and to be readily accessible to, and usable by, environmentally limited persons," (71 Ill.Admin.Code §400.110). Note: The Ill. Environmental Barriers Act, as amended by P.A. 99-582, eff. 1-1-17, deleted the term *environmentally limited person*, which until then had been defined in 410 ILCS 25/3 as "a person with a disability or condition who is restricted in the use of the built environment." Press boxes constructed on school property before 7-1-2009 do not have to comply with the Accessibility Code if the press boxes are in bleachers that have points of entry at only one level, and the aggregate area of the press box is no more than 500 square feet (105 ILCS 5/10-20.465; 23 Ill.Admin.Code 180.60(b)(4), amended at 40 Ill. Reg. 3059).*

*A building intended for classroom or instructional use may be constructed only after voter approval at a referendum unless the building is: (1) leased by the district, or (2) purchased with funds from the sale or disposition of other buildings or structures, or with funds received as a grant under the School Construction Law or as a gift, provided that no funds (other than lease payments) are derived from the district's bonded indebtedness or its tax levy (105 ILCS 5/10-22.36).*

*A district may levy a tax for "fire prevention, safety, energy conservation, disabled accessibility, school security, and specified repair purposes," (105 ILCS 5/17-2.11, amended by P.A. 98-26). An expedited process may be available in emergency situations (Id.). A board may, subject to certain notice requirements, transfer surplus life safety taxes and interest earnings on them to the Operations and Maintenance Fund for building repair work until June 30, 2016 (Id., amended by P.A. 99-713).*

*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.). For environmental impact laws, see policy 4:160, *Environmental Quality of Buildings and Grounds*.*

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

3. Design buildings for sufficient flexibility to permit new or modified programs.
4. Design buildings for maximum potential for community use.
5. Meet or exceed all safety requirements.
6. Meet requirements on the accessibility of school facilities to disabled persons as specified in State and federal law.
7. Provide for low maintenance costs, energy efficiency, and minimal environmental impact.

**Naming Buildings and Facilities** <sup>6</sup>

Recognizing that the name for a school building, facility, or ground or field reflects on its public image, the Board's primary consideration will be to select a name that enhances the credibility and stature of the school or facility. Any request to name or rename an existing facility should be submitted to the Board.<sup>7</sup> When a facility is to be named or renamed, the Board President will appoint a special committee to consider nominations and make a recommendation, along with supporting rationale, to the Board. The Board will make the final selection. The Superintendent or designee may name a room or designate some area on a school's property in honor of an individual or group that has performed outstanding service to the school without using the process in this policy.

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

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

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

<sup>6</sup> This section is optional and its contents are at the board's discretion.

<sup>7</sup> The board may want to include criteria for the committee, in which case the following is an option:

1. The committee will encourage input from the community, staff members, and students.
2. Consideration will be given to names of local communities, neighborhoods, streets, landmarks, historical considerations, and individuals who have made a contribution to the District, community, State, or nation.
3. The name will not duplicate or cause confusion with the names of existing facilities in the District.

## Operational Services

### Safety 1

#### Safety and Security

All District operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on District property or at a District event.<sup>2</sup> 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;<sup>3</sup>
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;<sup>4</sup> and
5. A clear, rapid, factual, and coordinated system of internal and external communication.

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

#### School Safety Drill Plan 6

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

<sup>1</sup> State law requires a policy on several topics in this policy (see fn 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; Screening; Notifications*.

<sup>2</sup> This simple and 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?

<sup>3</sup> 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 [www.ed.gov/docs/REMS\\_E-12\\_Guide\\_503.pdf](http://www.ed.gov/docs/REMS_E-12_Guide_503.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.

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

<sup>5</sup> 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, *Students' Discipline Behavior*.

625 ILCS 5/12-610.1(e) prohibits wireless telephone use at any time while operating a motor vehicle on a roadway in a school speed zone except for (1) highway construction or maintenance workers within their work zones, (2) any use for emergency purposes, (3) law enforcement officers or emergency responders performing their duties, (4) a person using a wireless telephone in voice-operated mode with or without use of a headset, 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*.

<sup>6</sup> Each of the listed drills is required by the School Safety Drill Act, 105 ILCS 128/. Each drill's requirements are comprehensively covered in 4:170-AP1, *Comprehensive Safety and Security Plan*. For information about documenting minimum compliance with the School Safety Drill Act, see [www.schoolsafety/mva.net](http://www.schoolsafety/mva.net).

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.

#### Carbon Monoxide Alarms 8

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

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

\* not a law yet

105 ILCS 5/2-3.12 authorizes the Ill. State Fire Marshal or a qualified fire official to whom the Ill. State Fire Marshal has delegated his or her authority to conduct an annual fire safety inspection of each school building. provided the inspection is coordinated with the regional superintendent. See also 105 ILCS 5/2-14.21(c) and 23 Ill.Admin.Code 5180.309(b). To collectively implement this law and ensure the education of students in the district is not disrupted, school officials should discuss with the State Fire Marshal and regional superintendent whether written notice may be provided to the principal requesting to schedule a mutually agreed upon time. No more than two routine inspections may be made in a calendar year.

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.*

8 105 ILCS 5/10-20.56, added by P.A. 99-470, 02-3-16. *Carbon monoxide detector* and *detector* mean a device having a sensor that responds to carbon monoxide gas and that is connected to an alarm control unit and approved in accordance with rules adopted by the Ill. State Fire Marshal. *Approved carbon monoxide alarm* or *alarm* means a carbon monoxide alarm that complies with all the requirements of the rules and regulations of the Ill. State Fire Marshal, bears the label of a nationally recognized testing laboratory, and complies with the most recent standards of the Underwriters Laboratories or the Canadian Standard Association (430 ILCS 133/5).

Consult both the board attorney and the local fire officials about whether a school building is exempt from this law. Remove this subhead if the board attorney determines that every building across the entire school district is exempt. The law applies to school buildings that have or are close to any sources of carbon monoxide; however, it does not specifically define what that means. 430 ILCS 133/20 defines exemptions for residential units and may provide guidance on the exemption for schools. The law also fails to define *carbon monoxide emitting device*, which triggers the placement point in a school building for a carbon monoxide alarm or carbon monoxide detector.

### Soccer Goal Safety <sup>9</sup>

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

### Unsafe School Choice Option 10

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.

### Emergency Closing

The Superintendent <sup>or designee</sup> is authorized to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property. 11

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

<sup>9</sup> Include this section only if the school district owns and controls a movable soccer goal (Movable Soccer Goal Safety Act, *s/c/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.isbe.state.il.us/one-stop-safety-center/how-to/ilinois.gov/topics-services/prevention-wellness/injury-violence-prevention/soccer-goal-safety](http://www.isbe.state.il.us/one-stop-safety-center/how-to/ilinois.gov/topics-services/prevention-wellness/injury-violence-prevention/soccer-goal-safety).

<sup>10</sup> 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.

<sup>11</sup> 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.

**Annual Review 12**

The 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.

**LEGAL REF.:** 105 ILCS 5/10-20.2, 5/10-20.56, 5/18-12, 5/18-12.5, and 128/  
210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act.

**CROSS REF.:** 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Criminal Background Check and/or Screening; Notifications), 4:180 (Pandemic Preparedness), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

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12 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/isa/2014/annual.html](http://www.isbe.net/isa/2014/annual.html).

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Operational Services

Convicted Child Sex Offender: Criminal Background Check and/or Screening: 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 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/sex. 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)).

Comment [KASL]: RENAMED The policy Cross References, and footnotes are updated to 1 Align with 5 260, Student Teachers, which is updated in response to 105 ILCS 5/10-21 9, 5/21B and 5/21B-80 amended by P.A. 99-667, 2 Clarify School Code requirements for student teacher fingerprint-based criminal history records checks, and 3 Incorporate anonymous improvement feedback whenever doing field or clinical experiences other than student teaching not be in the sample default policy language. State law does not require these individuals, along with resource persons and volunteers, to have fingerprint-based criminal history records checks.



### Criminal Background Check and/or Screening <sup>5</sup>

The Superintendent or designee shall perform ~~the fingerprint-based criminal history records information checks and/or criminal background check and/or screening~~ 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. <sup>6</sup> 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. <sup>7</sup> This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

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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.

<sup>5</sup> The law is silent with regard to screening volunteers and individuals in the proximity of a school. Screening and fingerprint-based criminal history records checks are different. See procedure 4:175-AP1, *Criminal Offender Notification Laws; Screening, for further distinctions.*

The School Code requires school districts to perform a fingerprint-based criminal history records check through (a) the Illinois State Police (ISP) for an individual's Criminal History Records Information (CHRI) and (b) the FBI's national crime information databases (105 ILCS 5/10-21.9(a), (a-5) and (a-6)).

Screening only involves checking an individual's name and address against publicly-available databases and information provided for local law enforcement like the: (1) Illinois Sex Offender Registry, [www.isp.state.il.us/hor/](http://www.isp.state.il.us/hor/), and (2) the Violent Offender Against Youth Registry maintained by the State Police, [www.isp.state.il.us/voyr/](http://www.isp.state.il.us/voyr/). See 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.*

<sup>6</sup> 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.*

<sup>7</sup> 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/. 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.:** 20 ILCS 2635/, Uniform Conviction Information Act.  
720 ILCS 5/11-9.3.  
730 ILCS 152/, 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), ~~5:260 (Student Teachers)~~, 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

## General Personnel

### Equal Employment Opportunity and Minority Recruitment 1

The School District shall provide equal employment opportunities<sup>2</sup> to all persons regardless of their race;<sup>3</sup> color;<sup>3</sup> creed;<sup>3</sup> religion;<sup>3</sup> national origin;<sup>3</sup> sex;<sup>4</sup> sexual orientation;<sup>5</sup> age;<sup>6</sup> ancestry;<sup>7</sup> marital status;<sup>7</sup> arrest record;<sup>8</sup> military status;<sup>9</sup> order of protection status;<sup>9</sup> unfavorable military discharge;<sup>10</sup>

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

<sup>1</sup> Federal and State law (see the policy's legal references) require that all districts have a policy on equal employment opportunities and control this policy's content. This is a complex, confusing, and highly litigated area of the law; consult the board attorney for advice on the application of these laws to specific fact situations.

<sup>2</sup> *Equal employment opportunities* apply 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, ~~sex~~, 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, ~~physical or mental disability/handicap~~, military status, order of protection status, sexual orientation, ~~pregnancy~~, and unfavorable discharge from military service (775 ILCS 5/1-102 and 1-103).

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 ~~et seq.~~, 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.

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

<sup>3</sup> 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/).

<sup>4</sup> 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 wages 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 (820 ILCS 112/15(b)). 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(f)).~~

<sup>5</sup> 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)).

<sup>6</sup> 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 footnote 2). 29 C.F.R. Part 1625, amended the EEOC regulations under ADEA to reflect the U.S. Supreme Court's decision in *General Dynamic Systems, Inc. v. Cline*, 540 U.S. 381(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.

<sup>7</sup> 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(Q)). This statutory definition does not encompass the identity of one's spouse. Thus, school districts may adopt no-spouse policies. *Boaden v. Dist. of Law Enforcement*, 664 N.E.2d 61 (1996).

<sup>8</sup> Districts may not make employment decisions on the basis of arrest history, but may use job-disqualifying criminal convictions (775 ILCS 5/2-103). The Job Opportunities for Qualified Applicants Act, 820 ILCS 75/, ~~added by P.A. 98-344, eff. 1-1-2015~~, prohibits an employer from asking about a criminal record until the employer determines that the applicant is qualified for the position; however, this does not apply when employers are required to exclude applicants with certain criminal convictions from employment. School employers should limit their requests for criminal convictions to job-disqualifying convictions. See also the U.S. Equal Employment Opportunity Commission's guidance, *Consideration of Arrest and Conviction Records in Employment Decisions*, at [www.eeoc.gov/laws/guidance/arrest\\_conviction.cfm](http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm).

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

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<sup>9</sup> 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)).

<sup>10</sup> *Military status* means a person's status on active duty or in status as a veteran in the U.S. Armed Forces, veteran of any reserve component of U.S. Armed Forces, or current member or veteran of the Illinois Army National Guard or Illinois Air National Guard (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 footnotes <sup>9</sup> in policy 5:30, *Hiring Process and Criteria*.

<sup>11</sup> 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.

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

<sup>13</sup> Victims' Economic Security and Safety Act, 820 ILCS 180/30, ~~enacted by P.A. 98-365~~. An employer is prohibited from discriminating against any individual (e.g. an applicant for employment) because he or she "is an employee whose employer is subject to Section 21 of the Workplace Violence Prevention Act." The Workplace Violence Prevention Act (820 ILCS 275, ~~enacted by P.A. 98-366~~) allows an employer to seek a *workplace protection restraining order* when there is a credible threat of violence at the workplace. Section 21 requires the employer seeking a *workplace protection restraining order* to notify the employee who is a victim of unlawful violence.

<sup>14</sup> 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 footnotes <sup>25</sup> 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, EBOC published an informative guidance letter, *ADA & GINA: Incentives for Workplace Wellness Programs*, ~~EBOC 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.

<sup>15</sup> Americans with Disabilities Act, 42 U.S.C. §§12101 et seq., amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325 and modified by the Lilly Ledbetter Fair Pay 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~~.

<sup>16</sup> 775 ILCS 5/2-102(I). Employers must provide reasonable accommodations to employees with conditions related to pregnancy or childbirth (775 ILCS 5/2-102(J), ~~added by P.A. 98-1080, eff. 1-3-2018~~). Employers are required to post a notice summarizing the right to be free from unlawful discrimination and the right to certain reasonable accommodations. ~~Id. at 5/2-102(K)~~. The Ill. Dept. of Labor is required to prepare such a notice, retrievable from its website, which employers may use.

Federal law also prohibits employers from discriminating against employees and applicants on the basis of pregnancy, childbirth, or related medical conditions (42 U.S.C. §2000e(k)). Pregnant workers with pregnancy-related impairments may have disabilities for which they may be entitled to reasonable accommodation under the ADA (42 U.S.C. §12112). Guidance from the U.S. Equal Employment Opportunity Commission (7/24/2017-14-14) is available at: ~~www.eeoc.gov/laws/guidance/pregnancy.cfm~~.

<sup>17</sup> 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.

<sup>18</sup> 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.

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: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information. 23

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

19 Optional provision (20 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 (29 U.S.C. §705(10)(A) and (B), and 42 U.S.C. §12114);
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. 29 U.S.C. §705(2)(D); 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. *Id.* at 705(2)(C)(ii)(D).

Persons who have successfully completed or are participating in a drug rehabilitation program are considered *disabled*. *Id.* at 705(2)(D).

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 53/10(a)). *Districts are also prohibited from reaching, recruiting, or creating an employee or potential employee to provide a new name and password or any password or other related account information to gain or demand access to his or her personal online account (Ill. at 53/10(b), amended by P.A. 99-616, eff. 1-1-17). While the law does not prohibit employers from viewing public information, consult the board attorney before engaging in this practice.*

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)(1), 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. 98-132; 77 Ill.Admin.Code Part 946. To legally use medical cannabis, an individual must first become a registered qualifying patient. Their use of cannabis (e.g. permissible locations) is governed by the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/, added by P.A. 98-132). 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*.

23 775 ILCS 5/6-101. Discrimination on the basis of a request for or use of a reasonable accommodation is a civil rights violation under the Ill. Human Rights Act (*Id.*, amended by P.A. 98-1050, eff. 1/1/2015). 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).

**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:**

Joel MARTIN  
Name  
164 S. Prospect  
Address  
joelmartin@d64.org  
Email  
847-318-4305  
Telephone

**Complaint Managers:**

Jane Boyd  
Name  
164 S. Prospect  
Address  
jboyd@d64.org  
Email  
847-318-4332  
Telephone

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Email  
\_\_\_\_\_  
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

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

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 information regarding the Ill. Whistleblower Act and the tort of retaliatory discharge, see *Thomas v. Guardmark*, 487 F.3d 531 (7<sup>th</sup> Cir., 2007)(discussing the elements of retaliatory discharge and Ill. Whistleblower Act), and *Sherman v. Kraft General Foods, Inc.*, 651 N.E.2d 708 (Ill.App.4<sup>th</sup> Dist., 1995)(finding employees who reported asbestos hazard had a cause of action for 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. An email address is optional but may facilitate reporting. 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.

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.

### 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.

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, 5/2-102, 5/2-103, and 5/6-101.  
Religious Freedom Restoration Act, 775 ILCS 35/5.  
Right to Privacy in the Workplace Act, 820 ILCS 55/10.  
Employee Credit Privacy Act, 820 ILCS 70/.  
Job Opportunities for Qualified Applicants Act, 820 ILCS 820 ILCS 75/.  
Ill. Equal Pay Act of 2003, 820 ILCS 112/.  
Victims' Economic Security and Safety Act, 820 ILCS 180/30.  
Nursing Mothers in the Workplace Act, 820 ILCS 260.

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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.

~~23-III Admin Code §1-220.~~

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 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)



## General Personnel

### Hiring Process and Criteria <sup>1</sup>

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.<sup>2</sup> The Superintendent is responsible for recruiting personnel and making hiring recommendations to the Board.<sup>3</sup> If the Superintendent's recommendation is rejected, the Superintendent must submit another.<sup>4</sup> No individual will be employed who has been convicted of a criminal offense listed in Section 5/21B-80 of the School Code. <sup>5</sup>

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

### 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. <sup>7</sup>

Comment [KASBE]: Policy and footnotes are updated in response to a statutory edition change: 105 ILCS 5/21B-80, amended by P.A. 99-667 and the Privacy in the Workplace Act, 820 ILCS 55/10(c), amended by P.A. 98-630, eff. 1-1-17

Comment [KASBE]: P.A. 99-667 served an exemption for certain drug convictions which seven years since the end of the sentence for the criminal offense has passed. Sec. 5/21B(a) is now the statute that contains prohibited convictions, e.g. Class X felonies, sex offenses, etc. Not using the specific Sec. 5/21B(a) changes the meaning of the sentence.

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

<sup>1</sup> 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.

<sup>2</sup> 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).

<sup>3</sup> 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, 2006-12-11, 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." The requirement does not apply to filling vacant positions under 105 ILCS 5/24-12-amended-by-P.A. 98-648 (reduction in force and recall). Consult the board attorney about these issues.

<sup>4</sup> 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.

<sup>5</sup> 105 ILCS 5/10-21.9(c), amended by P.A. 97-607, 105 ILCS 5/21B-80, amended by P.A. 99-667, allows individuals with criminal histories involving certain drug convictions to apply for or to reinstate their educator licenses seven years after their sentence for the criminal offense is completed. Consult the board attorney about whether the board wants to continue prohibiting employment for any individual who has a criminal history involving these criminal drug offenses.

<sup>6</sup> 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~~ ~~new~~ 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.

<sup>7</sup> 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.<sup>8</sup> The Superintendent or designee shall notify an applicant if the applicant is identified in either database.<sup>9</sup> 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.<sup>10</sup>

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

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:<sup>12</sup>

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 definition of essential functions see 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. at 1630.2(n)). 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 26, 2009. There is information about the regulations and a link to them at: [www.eeoc.gov/laws/regulations/adaaa\\_final\\_sheet.cfm](http://www.eeoc.gov/laws/regulations/adaaa_final_sheet.cfm). Consult the board attorney regarding how these amendments impact the district's hiring processes.

<sup>8</sup> 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 (s/o/a Sex Offender Registry) is available at: [www.jan.state.il.us/sow](http://www.jan.state.il.us/sow). The Statewide Murderer and Violent Offender Against Youth Database is available at: [www.jan.state.il.us/cmvo/](http://www.jan.state.il.us/cmvo/).

<sup>9</sup> 105 ILCS 5/10-21.9.

<sup>10</sup> 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 transferred to the intermediate service centers for the area by P.A. 95-822.~~

<sup>11</sup> 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 Basis Pilot Program (820 ILCS 55/). This statute urges employers who voluntarily use *E-Verify* (formerly known as the Basis 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 fn 2 in 5:150-AP, *Personnel Records*, for a more detailed discussion of *E-Verify* issues.

<sup>12</sup> 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*.

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), ~~amended by P.A. 99-610, eff. 1-1-17~~

15 ~~Id. at 55/10(b)(1)-820 ILCS 55/10, amended by P.A. 99-610, eff. 1-1-17 (commonly known as the Facebook Password Law) and amended by P.A. 98-593. The exception in the professional account (added by P.A. 98-593, at 55/10(b)(3), amended by P.A. 99-610, eff. 1-1-17), is so limited that it appears to be unavailable to school employees. 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.

### Physical Examinations 16

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. The physical fitness examination must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, 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 performed no more than 90 days before submitting evidence of it to the District.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, 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.<sup>17</sup> 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*.

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

~~16 105 ILCS 5/24-5, amended by P.A. 98-716. According to this statute, "[a] new or existing employee may be subject to additional health examinations, including tuberculosis screening, as required by rules adopted by the Ill. Dept. of Public Health or by order of a local public health official." As of Aug. 2014, the Ill. Dept. of Public Health does not require school employees to be screened for tuberculosis other than workers in child day care and preschool settings (7 Ill.Admin.Code §696.140(e)(3)).~~

~~The last sentence of the first paragraph exceeds State law requirements and may be deleted.~~

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

~~Federal law limits pre-employment medical inquiries to whether the applicant is able to perform job-related functions; required medical examinations of applicants is forbidden (American with Disabilities Act [ADA], 42 U.S.C. §12112(d)(2), as amended by the ADAAA, Pub. L. 110-325); see also §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.~~

~~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 §n 7 for an explanation regarding the ADAAA.~~

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

- LEGAL REF.:** 105 ILCS 5/10-21.9 and 5/24-5.  
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), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:220 (Substitute Teachers), 5:280 (Educational Support Personnel - Duties and Qualifications)

## Professional Personnel

### Teacher Qualifications <sup>1</sup>

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

1. Each teacher must: <sup>3</sup>
  - a. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the 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 ~~working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and~~

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

<sup>1</sup> 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.

<sup>2</sup> ~~105 ILCS 5/21B et seq.; 23 Ill.Admin. Code §1.610 et seq.; §1.705 et seq. and Part 25, P.A. 97-607-repealed-105 ILCS 5/21-0-01 et seq. and added Article 21B titled Educator License to the School Code-23 Ill.Admin.Code §1.610 et seq. will refer to this repealed section of the School Code-23 Ill.Admin.Code §1.705 et seq. will refer to certification, and Part 25 continues to incorporate P.A. 97-607. This law changed teacher certification to educator license as of July 1, 2012. ISBE's proposal to amend these rules is pending as of Feb. 2014. When the licensure system became operational, all certified employees automatically transfer to the corresponding 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 repealed on June 30, 2013).~~

<sup>3</sup> ~~Subparagraph 1a is required for all teachers by 105 ILCS 5/21B-15, added by P.A. 97-607 (professional educator licensure qualifications of education). See 5a-2 above. The types of educator licenses are listed in 105 ILCS 5/21B-20 (1) Professional Educator License: (2) Educator License with Specialties (including endorsements for provisional educator, alternative provisional educator, alternative provisional superintendent, resident teacher, career and technical educator, provisional career and technical educator, transitional bilingual educator, language, visiting international educator, nonprofessional educator, and chief school business official); and (3) Substitute Teaching License, added by P.A. 97-607. See also 23 Ill.Admin. Code §1.610 et seq., §1.705 et seq. and Part 25 (per §25.100, teachers are no longer certified endorsed in any course subjects in which they earn grades lower than a "C" in college), although some of the rules refer to repealed sections of the School Code. Note that part-time provisional certificates issued to professionals and craftsmen are no longer issued (105 ILCS 5/21-10, amended by P.A. 97-607 and repealed on June 30, 2013). ISBE's Educator Licensure Information System (ELIS) is a web-based system that allows educators, administrators, and the public to access licensure information. See [www.isbe.state.il.us/ELIS/ELISWebSite.htm](http://www.isbe.state.il.us/ELIS/ELISWebSite.htm). Contact ISBE with all 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 optional but informs the superintendent when a teacher may be eligible to should-change lanes on the salary schedule.~~

~~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 licensed and highly qualified for their assignment; 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. §631~~92(f)(1)(C)~~,  
 E-4-C.F.R. §200.55-56-57, and 61,  
 105 ILCS 5/10-20.15, 5/21-11.4, ~~5/21B-15, 5/21B-20, 5/21B-25~~ 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)

Comment [115]: This text has not been updated yet to align with ESEA as amended by ESSA, and as 70248 posting. We will continue to evaluate, if appropriate, and note the discrepancy in a file, e.g. "State's underlying state regulations have been repealed, amendments to regulations are highly likely within the next year."

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

4 ~~The highly qualified teacher requirement of the No Child Left Behind Act, formerly found in §6319 of the Elementary and Secondary Education Act (ESEA), 20 U.S.C. §6319, was repealed by the Every Student Succeeds Act (ESSA, Pub. L. 114-21, et. 12-10-15). ESEA federal and State implementing regulations at 34 C.F.R. §200.55 and 23 Ill. Admin.Code Part 25, Appendix D have not been updated. Though amendments are highly likely within the next year. In Every Student Succeeds Act (ESSA) Highly Qualified Teachers (H.12.15) (<http://www.gpo.gov/etd/2015/essaa-2015-030.pdf>) ESER advises that districts need not comply with the "highly qualified" teacher requirement during the 2016-17 school year. ESER's website contains narrower criteria on highly qualified requirements and determinations. See <http://www.isea.org/2015/06/01/edpolicy/>~~

~~ESEA as amended by ESSA, requires that each state plan contain assurances that the state educational agency will ensure that all teachers and nonprofessionals meet state certification/licensure requirements (20 U.S.C. §6311(g)(2)(D)).~~

5 ~~20 U.S.C. §6310(g)(2); 34 C.F.R. §200.57(a). ESER advises that effective July 1, 2016, teachers and nonprofessionals must meet state and local licensure requirements listed in Illinois Licensure, Endorsement, and Approval Requirements, revised 8-23-16, at [www.ilsos.net/ilsos/requirements/requirements.html](http://www.ilsos.net/ilsos/requirements/requirements.html), strict.pdf.~~

~~ESSA, as amended by ESSA, requires districts to provide parents timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned (20 U.S.C. §6312(g)(1)(B)(ii)). For a sample notice, see 5:190-E2, Notice to Parents When Their Child Is Assigned To or Has Been Taught for at Least Four Consecutive Weeks by a Teacher Who Does Not Meet Applicable State Certification/Licensure Requirements.~~

~~6-34 C.F.R. §200.57(b)(2).~~

7 20 U.S.C. §6312(i)(1)(A)(i)(6); 34 C.F.R. §200.61,

OK  
JTM

Comment (B)(2): The policy, Legal Reference, and Statutes are updated to paragraphs 105 ILCS 5/10-21.5, 5/10-5, 5/10-4, 5/10-4a, amended by P.A. 99-487 and other General Code requirements for student teacher acceptance criminal history records checks.

### Professional Personnel

#### Student Teachers <sup>1</sup> or designee

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. No individual who has been convicted of a criminal offense ~~found guilty would subject him or her to license suspension or revocation pursuant to Section 5/21B-40 of the School Code or who has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to provisions under Article II of the Juvenile Court Act of 1987~~ is permitted to student teach or complete field or other clinical experience.

Before permitting an individual to student teach or begin a required internship/participate in any field experience in the District, the Superintendent or designee shall ensure that:

1. The District performed a 105 ILCS 5/10-21.0(a)-complete-criminal-history-records-check Check as described below; and
2. The individual furnished evidence of physical fitness to perform assigned duties and freedom from communicable disease pursuant to 105 ILCS 5/24-5. 4

A 105 ILCS 5/21.5(a) ~~complete-criminal-history-records-check~~ Check pursuant to 105 ILCS 5/10-21.0 shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105; amended by 09-364).

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 supersedes this policy's content. This policy contains no limit 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 employees representative, even if the policy involves an inherent managerial right.

This sample policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions which exceed those requirements. When a policy's subject matter is encompassed by a bargaining agreement, the school board policy may state, "Please refer to the current Parochial Agreement between the Chicago Teachers' Association and the Board of Education for applicable provisions."

2 P.A. 99-467 amended the School Code at 105 ILCS 5/10-21.5, 5/21B-15, and 5/21B-15(b) to serve out an education stipends individuals with pending teaching certificate applications to obtain a teaching license or maintain a license ~~pending certification upon receipt of the end of an individual's contract for those certain drug offenses. See 5/20-622, amended by 09-364 for a list of those certain drug offenses.~~

3 105 ILCS 5/10-21.0(a) applies to individuals who will be student teachers or who are beginning a required internship. For boards that want to include student participating in any field or clinical experience, amend the introductory phrase to read "Before permitting an individual to student teach, complete a required internship, or participate in any field experience in the District, ..." For more information about student participating in any field or clinical experience, see 5/27 below.

4 The requirements for physical fitness and freedom from communicable disease apply to student teachers as of 7-16-2014 (105 ILCS 5/24-5, amended by 09-364).



The School Code requires each individual student teaching or beginning a required internship must provide the District with written authorization for, and pay the costs of, his or her 105 ILCS 5/10-21.9 (criminal history records check (including any applicable vendor's fees)). Upon receipt of this authorization and payment, the Superintendent or designee will submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers as prescribed by the Department of State Police, to the Department of State Police. The Superintendent or designee will provide each student teacher with a copy of his or her report. 7

#### Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities. 7

Comments (2017) Repealed, eff. 12-07-13 (School Code provisions, 105 ILCS 5/21-14) and eff. 6-19-14 (Administrative Code provisions, 23 Ill. Admin. Code 23-773)

**LEGAL REF:** Adam Walsh Child Protection and Safety Act, P.L. 109-248.  
Uniform Conviction Information Act, 20 ILCS 2635/1.  
105 ILCS 5/10-21.9, 5/10-22.3A, and 5/24-5.  
23 Ill. Admin. Code 23-773.

**CROSS REF:** 5:190 (Teacher Qualifications), 4:175 (Convicted Child Sex Offender, Criminal Background Check and/or Screening, Notifications)

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

§ 105 ILCS 5/10-21.9(a).

§ 14.

7 In 105 ILCS 5/10-21.9(a), amended by 105 ILCS 22-324 and 22-325, require a student teacher or individual beginning a required internship to must undergo a fingerprint-based State and national criminal history records check and checks of the Interstate Sex Offender Registry and Interstate Murderer and Violent Offender Against Youth Registry prior to participating in any field experiences in the school. This statutory phrase "prior to participating in any field experiences" involves student teaching only. For information about criminal history records checks, permission or fingerprint-based criminal history records information checks for students doing field or clinical experience other than student teaching, see number two in the subpart titled Screening Individuals Who are Likely to Have Contact with Students at School or School Events in 4:175-AP1, Criminal Offender Notification Laws; Screening.

20 ILCS 2635/1(A) requires the student teacher's written authorization and a district to provide a copy of the reports, and 105 ILCS 5/10-21.9 requires the student teacher to pay for the costs of the criminal history records check. LiveScan is the recommended equipment for criminal history records checks. The language in this policy does not distinguish whether the district uses an authorized LiveScan vendor or owns or leases its own LiveScan equipment. Delete "Qualifying applicable vendor's fees" if the district owns or leases its own LiveScan equipment.

For more guidance and information on navigating the records laws surrounding criminal history records checks, along with a LiveScan vendor directory, see ISBE's non-regulatory guidance document, Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel, available at: [www.isbe.net/policyguidance\\_chri.pdf](http://www.isbe.net/policyguidance_chri.pdf).

105 ILCS 5/10-21.9, 5/10-22.3A, and 5/24-5. 23 Ill. Admin. Code 23-773.

S-260

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Comment: [KARI]: Policy is unchanged. Legal References and footnotes are updated to delete references to Section 619(e) of NCLB, which was repealed in its entirety by ESSA.

## Educational Support Personnel

### Duties and Qualifications <sup>1</sup>

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 <sup>2</sup>

Paraprofessionals provide supervised instructional support. Service as a paraprofessional requires an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE).

Individuals with only non-instructional duties (e.g., providing technical support for computers, providing personal care services, or performing clerical duties) are not paraprofessionals, and the requirements in this section do not apply. In addition, individuals completing their clinical experiences and/or student teaching do not need to comply with this section, provided their service otherwise complies with ISBE rules. <sup>3</sup>

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

Noncertificated and unlicensed personnel performing non-instructional duties may <sup>not be</sup> 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; <sup>4</sup>

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

<sup>1</sup> 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.

<sup>2</sup> Educator license 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/pressroom/2013/09/09130901.html](http://www.isbe.net/pressroom/2013/09/09130901.html).

<sup>3</sup> ~~Important: After the 2013-2014 school year, ISBE will no longer approve the use of speech-language paraprofessionals. Educators who moved to 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 §25.263) or qualify as a speech-language pathologist intern (23 Ill.Admin.Code §25.256) 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."

<sup>3</sup> 105 ILCS 5/10-22.34; 23 Ill.Admin.Code §§1.630 and 25.620 (student teaching). This paragraph is optional and maybe deleted if the board desires a streamlined policy.

<sup>4</sup> 105 ILCS 5/10-22.34(a)(2).

2. As supervisors, chaperones, or sponsors for non-academic school activities; or 5
3. For non-teaching duties not requiring instructional judgment or student evaluation.<sup>6</sup>

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. <sup>7</sup>

#### Coaches and Athletic Trainers

Athletic coaches and-trainers shall have the qualifications required by any association in which the School District maintains a membership.<sup>8</sup> 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.<sup>9</sup> Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers 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.<sup>10</sup>

#### Bus Drivers

All school bus drivers must have a valid school bus driver permit.<sup>11</sup> The Superintendent or designee shall inform the Illinois Secretary of State, within 30 days of being informed by a school bus driver,

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

<sup>5</sup> 105 ILCS 5/10-22.34e; 23 Ill.Admin.Code §1.630(a).

<sup>6</sup> 105 ILCS 5/10-22.34(a)(1); 23 Ill.Admin.Code §1.630(a).

<sup>7</sup> 105 ILCS 5/10-22.34b, last paragraph. 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(c)(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.*

<sup>8</sup> 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, provided the program is available.*

<sup>9</sup> 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).

<sup>10</sup> 225 ILCS 5/3 and 5/4.

<sup>11</sup> 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

that the bus driver permit holder has been called to active duty.<sup>12</sup> 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(e);~~  
34 C.F.R. §§200.58 and 200.59,<sup>13</sup>  
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.

**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)

Comment [M12]: Still exact but have not been updated yet to align with ESEA as amended by ESSA and no NPRM pending. We will continue to cite them, if appropriate, and note the discrepancy in a 5/a. The FRBS6 Manual notes that federal ESEA rules are still pending, therefore this is final and will likely be updated multiple times.

~~The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.~~  
transportation provider when the bus is on a regularly scheduled route for transporting other fare-paying passengers (625 ILCS 5/6-104(d-5)).

<sup>12</sup> This sentence is optional, but the notification is required by 625 ILCS 5/6-106.1(h). *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(h).

<sup>13</sup> ~~The statute underlying these regulations (20 U.S.C. §6319) was repealed by the Every Student Succeeds Act, eff. 12/10/15; amendments to the regulations are highly likely within the next year.~~

Comment (KAS): The policy and footnot are updated to reflect former requirements under NCLB repealed by ESSA and P.A. 99-193 and P.A. 99-657, and amendments to 23 IL Admin Code §1.97

## Instruction

### School Accountability <sup>1</sup>

According to the Illinois General Assembly, the primary purpose of schooling is the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work.<sup>2</sup> To fulfill that purpose, the Illinois State Board of Education prepared *State Goals for Learning* with accompanying *Illinois Learning Standards*.<sup>3</sup>

The School Board gives priority in the allocation of resources, including funds, time, personnel, and facilities, to fulfilling this purpose.

### Quality Assurance

The Board continuously monitors student achievement and the quality of the District's work. The Superintendent shall supervise the following quality assurance components, in accordance with State law and Illinois State Board of Education (ISBE) rules, and continuously keep the Board informed:

1. Prepare each school's annual recognition application and quality assurance appraisal, whether internal or external, to assess each school's continuous school improvement.<sup>4</sup>
- ~~2. If applicable, implement a No Child Left Behind Act (NCLB) plan, including the completion of the NCLB Consolidated Application, and seek Board approval where necessary or advisable.<sup>5</sup>~~
- 3.2. Continuously assess the District's and each school's overall performance in terms of both academic success and equity. This includes, without limitation, a thorough analysis of ISBE's balanced accountability measure and each school's *Multiple Measure Index* and corresponding *Annual Measurable Objective* provided by ISBE.<sup>6</sup>

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

<sup>1</sup> State or federal law controls this policy's content.

<sup>2</sup> 105 ILCS 5/27-1.

<sup>3</sup> 23 IL Admin. Code §1, Appendix D.

<sup>4</sup> 105 ILCS 5/2-3.25 - 2-3.25b; 23 IL Admin. Code §§1.10(a) and 1.20.

~~<sup>5</sup> Omit this item if the district does not receive Title I funds. Title I is part of the Elementary and Secondary Education Act (20 U.S.C. §6301 et seq.). It was repealed by No Child Left Behind (NCLB) which was signed on 1-8-02 and officially expired on 9-30-07. While NCLB remains in effect due to a continuing resolution, state education officers (like ISBE) routinely receive waivers while Congress considers ways to re-write NCLB to provide greater flexibility to states.~~

~~<sup>6</sup> 20 U.S.C. §6312 contains the required components of a NCLB plan. IEP's Grant and Programs division administers the NCLB Consolidated Application. See [www.isbe.net/grants/standards-nclb-100](http://www.isbe.net/grants/standards-nclb-100).~~

<sup>6</sup> 105 ILCS 5/2-3.25a, amended by P.A. 99-193 and P.A. 99-657; and 5/2-3.25d, amended by P.A. 99-193; 5/2-3.64a-5, added by P.A. 98-973. P.A. 99-193 significantly revised the system of standards for school districts and schools and P.A. 99-657 delayed certain implementation dates by one school year. ISBE must establish recognition standards for student performance and school improvement for all districts and their individual schools. The recognition standard must be an outcome-based, balanced accountability measure. Subject to funding, the balanced accountability measure must focus on student performance and, beginning in the 2014-2015 school year for some districts and for all districts by the 2015-2016 school year, professional practice. The student performance component must focus on student outcomes and closing the achievement gaps using a *Multiple Measure Index* and *Annual Measurable Objectives*. ISBE must establish a *Multiple Measure Index* and *Annual Measurable Objectives* for each school that address the school's overall performance in terms of both academic success and equity (105 ILCS 5/2-3.25d(a), amended by P.A. 99-193). A process for assistance, remediation, and intervention exists for low-performing districts known as *priority and focus districts*, as those terms are defined by 105 ILCS 5/2-3.25d-5, added by P.A. 99-193 (105 ILCS 5/2-3.25e-5 and 5/2-3.25f, amended by P.A. 99-193).

- 4.3. If applicable, develop District and School Improvement Plans, present them for Board approval, and supervise their implementation. 7
- 5.4. Prepare a school report card, present it at a regular Board meeting, and disseminate it as provided in State law. 8
- 6.5. In accordance with Sec. 2-3.153 of the School Code, administer at least biennially a survey of learning conditions on the instructional environment within the school to, at minimum, students in grades 6 through 12 and teachers. 9

~~School Choice and Supplemental Education Services 10~~

~~This section of the policy is effective only if the choice and/or supplemental educational services requirements in federal law are applicable to Illinois. When effective, school choice and supplemental education services will be offered to students as provided in Title I of the Elementary and Secondary Education Act.~~

**LEGAL REF.:** ~~No Child Left Behind Act, §1116, 20 U.S.C. §6316; 34 C.F.R., §§200.22, 200.23, 200.42, and 200.43; 105 ILCS 5/2-3.25, 5/2-3.25a, 5/2-3.25b, 5/2-3.25c, 5/2-3.25d, 5/2-3.25e-5, 5/2-3.25f, 5/2-3.25f-5, 5/2-3.63, 5/2-3.64a-5, 5/10-21.3a, and 5/27-1. 23 Ill.Admin.Code Part 1, Subpart A: Recognition Requirements.~~

**CROSS REF.:** 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program), 7:10 (Equal Educational Opportunities)

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

~~7 The requirements around district and school improvement plans are unknown until ISBE revises its rules following P.A. 99-193. This Public Act deleted the requirements concerning improvement plans as well as the sanctions for failing to make adequate yearly progress (105 ILCS 5/2-3.25d, amended by P.A. 99-193). 105 ILCS 5/2-3.25f continues to state that schools or districts "that fail to make reasonable efforts to implement an approved Improvement Plan may suffer loss of State funds by school district, attendance center, or program as the State Board of Education deems appropriate."~~

~~When the federal-choice law is effective, school districts must reconcile it with the State law limiting transfers (105 ILCS 5/10-21.3a). Sample policy 7-20, School Assignment and Extra-District Transfer, implements this law.~~

~~8 105 ILCS 5/10-17a, amended by P.A. 99-193. Districts must present the report card at a regular board meeting, post it on the district's website, make it available to newspapers of general circulation in the district, notify parents/guardians of its availability on the district's website, provide it to parents/guardians on request, submit it to the regional superintendent or appropriate Intermediate Service Center, and otherwise disseminate it as required by State law.~~

~~9 Required by 105 ILCS 5/2-3.153; 23 Ill.Admin.Code §1.97. The State Superintendent must publicly report on selected indicators of learning conditions resulting from the administration of the instrument at the individual school, district, and State levels. A district may use an alternate learning instrument approved by the State Superintendent at its own cost. These survey instruments are authorized by July 1 each year and posted at: [www.isbe.net/Scenaria/4/default.htm](http://www.isbe.net/Scenaria/4/default.htm) (23 Ill.Admin. Code §1.97(c)(1)-(2)). To use an alternate survey instrument, the district must submit a form developed for this purpose and posted at [www.isbe.net/Scenaria/4/default.htm](http://www.isbe.net/Scenaria/4/default.htm) to the State Superintendent by August 1 each year (Id.).~~

~~Insert the following sentence for districts that administer an alternate survey of learning conditions at their own cost: "The District has elected to use an alternate survey of learning conditions instrument."~~

~~10 The provisions in this section are required by §1116 of No Child Left Behind (20 U.S.C. §6316; 34 C.F.R. §200.44). Districts that do not receive Title I funds should omit this section. ISBE received a waiver for school year 2015; ISBE's website says that "there will be no choice requirements for the 2014-2015 school year and until further notice," and "no SES requirements beginning with the 2014-15 school year." (emphasis added) at [www.isbe.net/grants/html/choices.htm](http://www.isbe.net/grants/html/choices.htm).~~

### Instruction

#### School Wellness 1

Student wellness, including good nutrition and physical activity, shall be promoted in the District's educational program, school activities, and meal programs.<sup>2</sup> This policy shall be interpreted consistently with Section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 and the Healthy Hunger-Free Kids Act of 2010 (HHFKA).<sup>3</sup> The Superintendent or designee will ensure each school building complies with this policy, the policy is available to the community on an annual basis, and that the community is informed about the progress of this policy's implementation.<sup>4</sup>

Comment (KAB): Policy, Legal References, Cross References, and footnote are updated throughout in response to final Smart Schools rules which were changed a lot from the Final Interim Rule. Other language in the policy reflects State law on physical fitness requirements. Citations are amended throughout. Smart Schools rules moved some sections of the rule forward.

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

<sup>1</sup> State or federal law requires this subject matter to be covered in policy and controls its content. The federal Child Nutrition and WIC Reauthorization Act of 2004 requires school districts participating in a program authorized by the National School Lunch Act or the Child Nutrition Act to have a school wellness policy (PL 108-265, Sec. 204). State law required ISBE to "establish a State goal that all school districts have a wellness policy," (105 ILCS 52-3.139). ISBE complied in October 2007 by "instruct[ing] all public school districts to establish a School Wellness Policy." The federal and State laws list mandatory topics for the policy. The second sentence of this policy should be deleted if the district does not participate in the National School Lunch Act or the Child Nutrition Act.

See ISBE's numerous resources at [www.isbe.net/education/health/wellness\\_policy.htm](http://www.isbe.net/education/health/wellness_policy.htm). Action for Healthy Kids is a national organization dedicated to overcoming the "epidemic of overweight, undernourished and sedentary youth by focusing on changes in schools;" see its resources at [www.actionforhealthykids.org/index.php](http://www.actionforhealthykids.org/index.php).

This sample policy seeks to be both legally compliant and consistent with good governance principles. Both federal and State laws allow each school district to determine how the required topics are addressed. Good governance principles suggest that the board should establish goals with community and stakeholder input. The administration should determine how to achieve the goals. The board should monitor this policy by requesting and reviewing periodic implementation data.

The Ill. Dept. of Agriculture and ISBE are directed to create the Farm Fresh Schools Program (30 ILCS 103/5.72B, added by P.A. 96-162, re-enacted by P.A. 96-1003). They are also directed to administer a grant program to further the Program's intent of "reduc[ing] obesity and improv[ing] nutrition and public health, as well as strengthen[ing] local agricultural economies by increasing access to and promoting the consumption of locally grown fruits and vegetables in schools and increasing physical activities and programs that promote pupil wellness."

<sup>2</sup> 7 C.F.R. §210.30(a).

<sup>3</sup> Healthy Hunger-Free Kids Act of 2010 (HHFKA); 42 U.S.C. §1758b (PL 111-296); 7 C.F.R. §210.10 and 210.30(a).

<sup>4</sup> Id.: 7 C.F.R. §210.30(c)(4), §210.30 (c)(2), §210.30 (c)(3), and §210.30(c). The intent of the rule is that schools "notify households on an annual basis of the availability of the local school wellness policy information and provide information that would enable interested households to obtain additional details" (Fed. Reg. Vol. 61, No. 146 at 20160). However, the rule states, "To inform the public about the content and implementation of the local school wellness policy, and make the policy and any updates to the policy available to the public on an annual basis."

To achieve the intent of this requirement, the regulations suggest several methods for districts, which include a common method many districts already use: post the policy on the website for the public and use the student handbook to distribute important information to interested households.

Members of the Ill. Principals Assoc. may subscribe to the IPA's Model Student Handbook Series. While this service is not a handbook per se, it provides principals with quick, user-friendly access to model student handbook provisions that are attorney drafted and fully aligned with IASBE's policy services. For more information, see: [www.theprincipals.org/resources/model-student-handbook](http://www.theprincipals.org/resources/model-student-handbook).

### Goals for Nutrition Education and Nutrition Promotion <sup>5</sup>

The goals for addressing nutrition education and nutrition promotion include the following:

- Schools will support and promote sound nutrition for students.
- Schools will foster the positive relationship between sound nutrition, physical activity, and the capacity of students to develop and learn.
- Nutrition education will be part of the District's comprehensive health education curriculum. See School Board policy 6:60, *Curriculum Content*. <sup>6</sup>

### Goals for Physical Activity <sup>7</sup>

The goals for addressing physical activity include the following:

- Schools will support and promote an active lifestyle for students.
- Physical education will be taught in all grades and shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. See Board policy 6:60, *Curriculum Content and Board policy 7:260, Exemption from Physical Education*. <sup>8</sup>
- During the school day, all students will be required to engage in a daily physical education course, unless otherwise exempted. See Board policy 6:60, *Curriculum Content and Board policy 7:260, Exemption from Physical Education*. <sup>9</sup>
- The curriculum will be consistent with and incorporate relevant *Illinois Learning Standards for Physical Development and Health* as established by the Illinois State Board of Education (ISBE). <sup>10</sup>

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

<sup>5</sup> This is a required topic, but the local board may determine what goals are appropriate (PL 108-265, Sec. 204(a)(1) and PL 111-296; 105 ILCS 5/2-3.139(a)(2) and 7 C.F.R. §210.30(a)(1)). *Nutrition promotion* is now required by PL 111-296, but the concept is not described or defined. The Food Nutrition Service (FNS) has described *nutrition promotion* more clearly in its *updating-technical assistance materials and other proposed 7 C.F.R. Part 210 rules* (Fed. Reg. Vol. 79, No. 38 at 10695), dated Feb. 26, 2014, which state, "... evidence based techniques and scientifically-based nutrition messages targeted to a specific audience to inspire and motivate them to take action and use these techniques and messages to create environments and food service venues (classroom, cafeteria, a la carte, vending machines, school stores, snack bars, fundraisers, home, etc.) that encourage healthy nutrition choices, as well as enhance and encourage participation in school meal programs."

<sup>6</sup> 105 ILCS 110/3 and 23 Ill.Admin.Code §1.420(n). ISBE's rules for Comprehensive Health Education found at 23 Ill.Admin.Code Part 253 were repealed, effective 10/3/05.

<sup>7</sup> This is a required topic, but the local board may determine what goals are appropriate (PL 108-265, Sec. 204(a)(1), 105 ILCS 5/2-3.139(a)(2) and 7 C.F.R. §210.30(a)).

<sup>8</sup> 105 ILCS 5/27-5 and 27-6, 23 Ill. Admin. Code §1.425 (added in 40 Ill. Reg. 2990)

<sup>9</sup> Id.

<sup>10</sup> Schools must "set student learning objectives which meet or exceed goals established by the State," (105 ILCS 5/2-3.63). The *Learning Standards* can be found on ISBE's website, [www.isbe.net/il.nsf/files](http://www.isbe.net/il.nsf/files). See *State Goal 20: Achieve and maintain a health-enhancing level of physical fitness based upon continual self-assessment* at: [www.isbe.net/il.nsf/files/standards/lear](http://www.isbe.net/il.nsf/files/standards/lear).

<sup>10</sup> 105 ILCS 5/27-6.5 describes physical fitness assessments required, beginning with the 2016-17 school year and every school year thereafter, for grades 3-12 in an effort to meet State Goal 20 of the *Illinois Learning Standards for Physical Development and Health* (at [www.isbe.net/il.nsf/pd/pd/goal20.pdf](http://www.isbe.net/il.nsf/pd/pd/goal20.pdf)). See also 23 Ill.Admin.Code §1.425 (a), (b); ISBE's *IL Fitness Assessments and Data Reporting Requirements Questions and Answers* (Rev. 8/25/16) at: [www.isbe.net/BPE/pd/fitness-assmt-faq.pdf](http://www.isbe.net/BPE/pd/fitness-assmt-faq.pdf).



### Nutrition Guidelines for Foods Available During the School Day 11

Students will be offered and schools will promote nutritious food and beverage choices consistent with the current *Dietary Guidelines for Americans* published jointly by the U.S. Departments of Health and Human Services and Agriculture (USDA). In addition, in order to promote student health and reduce childhood obesity, the Superintendent or designee shall restrict the sale of *competitive foods*, as defined by the USDA, in the food service areas during meal periods and comply with all ISBE rules. 12

### Exempted Fundraising Day (EFD) Requests 13

All food and beverages sold to students on the school campuses of participating schools during the school day must comply with the "general nutrition standards for competitive foods" specified in federal law, unless the Superintendent or designee in a participating school has granted an *exempted fundraising day* (EFD). To request an EFD and learn more about the District's related procedure(s), contact the Superintendent or designee. The District's procedures are subject to change. The number of EFDs is set by ISBE rule.

### Guidelines for Reimbursable School Meals 14

Reimbursable school meals served shall meet, at a minimum, the nutrition requirements and regulations for the National School Lunch Program and/or School Breakfast Program. 15

### Monitoring 16

The Superintendent or designee shall annually provide implementation data and/or reports to the Board concerning this policy's implementation sufficient to allow the Board to monitor and adjust the policy. This report must include without limitation each of the following:

- An assessment of the District's implementation of the policy
- The extent to which schools in the District are in compliance with the policy

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

11 The policy must include the nutrition guidelines selected by the board for "all foods available during the school day with the objective of promoting student health and reducing childhood obesity," (PL 108-265, Sec. 204(a)(2); 105 ILCS 5/2-3.139(a)(1); and 7 C.F.R. §210.10 and 210.30(a) and (c)(3))

12 7 C.F.R. §210.11(a)(2); 23 Ill. Admin. Code §305.5. For a definition of *competitive foods*, see 4:120-AP, *Administrative Procedure - Food Services; Competitive Foods; Exemptions*.

13 Required by 23 Ill. Admin. Code §305.15(c)(2) and 7 C.F.R. §230(e)(2). Detailed procedures are subject to change and are too complicated for policy text. This policy seeks to balance the requirement to include procedures in the policy for requesting an EFD by providing information about the initial steps and directing the superintendent or designee to inform the requestor of the current procedure. For a list of the number of available EFDs and a more detailed sample step-by-step procedure to request them, see 4:120-AP, *Administrative Procedure - Food Services; Competitive Foods; Exemptions*.

14 Inclusion in the policy is required for only those districts that participate in a program authorized by the National School Lunch Act or the Child Nutrition Act (PL 108-265, Sec. 204(a)(3)).

15 Child Nutrition Act of 1966 (42 U.S.C. §1771 et seq.) and National School Lunch Act (42 U.S.C. §1758).

16 The policy must establish a plan for measuring implementation of the local wellness policy, including designation of ~~1-3~~ or more persons within the local educational agency at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the local wellness policy, (PL 108-265, Sec. 204(a)(4); 105 ILCS 5/2-3.139(a)(4); and 7 C.F.R. §210(e)(5) and (6)). 105 ILCS 110/3.5(a) requires ISBE to develop and maintain a nutrition and physical activity best practices database. Materials may be found at: [www.isbe.net/nutritionandphysicalwellnesspolicy.htm](http://www.isbe.net/nutritionandphysicalwellnesspolicy.htm).

42 U.S.C. §1758b (PL 111-296) requires the public to receive periodic measures with the listed items. ~~While the proposed 7 C.F.R. Part 210 is not finalized, the accepted practice is annual reports. There is very little guidance to assist school districts in complying with this requirement, and school districts were expected to be working toward developing a reasonable method to implement this requirement by the end of the 2011-2012 school year (www.fda.usda.gov/foodandnutritionpolicy). Without guidance, to ensure compliance, superintendents should contact their Regional Office of Education regarding their school districts' efforts to comply with this requirement. A guide to help school districts conduct an evaluation of local wellness policies is available. More guidance is expected and will be available at: www.fda.usda.gov/healthy/wellnesspolicy\_toolkit.html~~

- The extent to which the policy compares to model local school wellness policies
- A description of the progress made in attaining the goals of the policy

**Community Input 17**

The Superintendent or designee will actively invite suggestions and comments concerning the development, implementation, and improvement of the school wellness policy from parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and community.

**Recordkeeping 18**

The Superintendent or designee shall retain records to document compliance with this policy.

**LEGAL REF.:** Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265, Sec. 204.  
 Child Nutrition Act of 1966, 42 U.S.C. §1771 ~~et seq.~~  
 National School Lunch Act, 42 U.S.C. §1751 ~~et seq.~~  
 Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b, PL 111-296.  
 42 U.S.C. §1779, as implemented by 7 C.F.R. §§210.11 and 210.30.  
 105 ILCS 5/2-3.139.  
 23 Ill.Admin.Code Part 305, Food Program.  
 ISBE's "School Wellness Policy" Goal, adopted Oct. 2007.

**CROSS REF.:** 4:120 (Food Services), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 7:260 (Exemption from Physical Education)

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

17 A board must establish a policy that involves parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the public in the development of the school wellness policy, (PL 108-265, Sec. 204(a)(5), amended by 42 U.S.C. §1758b (PL 111-296); 105 ILCS 5/2-3.139(a)(3); and 7 C.F.R. §210.30(1). This requirement's awkward wording notwithstanding, a board may take compliance steps by seeking community input during this policy's adoption and monitoring phases. *Sec 2:240, Board Policy Development.* A board may also choose to post this policy on its website and include it in the student handbook.

18 7 C.F.R. §210.30(f). Records must include: (1) the policy; (2) documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public; and (3) documentation of the triennial assessment of the local school wellness policy for each school under its jurisdiction.

## Instruction

### Education of Homeless Children<sup>1</sup>

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths, including a public pre-school education.<sup>2</sup> A *homeless child* is defined as provided in the McKinney-Vento Homeless Assistance Act and the Ill. Education for Homeless Children Act.<sup>3</sup> The Superintendent or designee shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation.<sup>4</sup>

A homeless child may attend the District school that the child attended when permanently housed or in which the child was last enrolled. A homeless child living in any District school's attendance area may attend that school.<sup>5</sup>

The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residency, birth

**Comment (KASL):** The policy, Legal References and footnotes are updated to align with amendments made to the McKinney-Vento Homeless Assistance Act by P.L. 114-224, Effective 12-10-16, the McKinney-Vento definition of *homeless children* will no longer include children "awaiting foster care placement."

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

<sup>1</sup> State and federal law control this policy's content. This sample policy contains the basic requirements of the Ill. Education for Homeless Children Act, 105 ILCS 45/, as well as the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq. Other policies that are relevant to the education of homeless children are listed in the Cross References, e.g., school admissions and immunizations.

<sup>2</sup> For high school districts, delete "including a public pre-school education" at the end of the sentence.

<sup>3</sup> Under the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a(2)),

"*Homeless Children*" (A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 11302(a)(1)); and (B) includes —

- i. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals, or are awaiting foster care placement;
- ii. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of Section 11302(a)(2)(C));
- iii. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- iv. migratory children (as such term is defined in section 6399 of title 20) who qualify as homeless for the purposes of this part because the children are living in circumstances described in classes (i) through (iii).

*Note: Effective 12-10-16, Section 11434a(2) will no longer include children "awaiting foster care placement" within the definition of homeless children.*

Under *State law the Ill. Education for Homeless Children Act* (105 ILCS 45/1-5),

"*Homeless person, child, or youth*" includes, but is not limited to, any of the following:

- (1) An individual who lacks a fixed, regular, and adequate nighttime place of abode.
- (2) An individual who has a primary nighttime place of abode that is:
  - (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing);
  - (B) an institution that provides a temporary residence for individuals intended to be institutionalized; or
  - (C) a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

See [www.ilses.org/homeless/child.html](http://www.ilses.org/homeless/child.html) for helpful informational resources and training with regard to the education of homeless children in Illinois. See [www2.ed.gov/programs/homeless/legislation.html](http://www2.ed.gov/programs/homeless/legislation.html) for the U.S. Dept. of Education's information about federal requirements.

<sup>4</sup> 42 U.S.C. §11432(g)(3)(J)(ii).

<sup>5</sup> 105 ILCS 45/1-10.

certificates, school records and other documentation, and guardianship.<sup>6</sup> Transportation shall be provided in accordance with the McKinney-Vento Homeless Assistance Act and State law.<sup>7</sup> The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.<sup>8</sup> If a child is denied enrollment or transportation under this policy, the Liaison for Homeless Children shall immediately refer the child or his or her parent/guardian to the ombudsperson appointed by the Regional Superintendent and provide the child or his or her parent/guardian with a written explanation for the denial.<sup>9</sup> Whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, the Liaison for Homeless Children shall, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist in accordance with State law.<sup>10</sup>

**LEGAL REF.:** McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.  
Ill. Education for Homeless Children Act, 105 ILCS 45/.

**CROSS REF.:** 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)

**ADMIN. PROC.:** 6:140-AP (Education of Homeless Children)

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

<sup>6</sup> The first sentences in this paragraph are required by 42 U.S.C. §11432(g)(7).

<sup>7</sup> 42 U.S.C. §11432(g)(1)(J)(iii) 42 U.S.C. §11432(g)(4)(A), and 105 ILCS 45/1-15.

<sup>8</sup> Required by 42 U.S.C. §11432(g)(7)(C).

<sup>9</sup> Required by 105 ILCS 45/1-25.

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." ~~Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." P.A. 06-893 abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.~~

<sup>10</sup> Optional, but allowed by, 105 ILCS 45/1-25(a-5). As an alternative, a school board may omit this sentence or use a permissive verb, such as, "...the Liaison for Homeless Children may, after the passage of 18 months and annually thereafter, conduct..." Any change required as a result of this review becomes effective at the close of the school year. Any person who knowingly or willfully presents false information in any review commits a Class C misdemeanor.

Comment [KAS]: The policy, Legal References, and Footnotes are updated to reflect new Title I program requirements and §6318 of ESEA, as amended by ESSA.

### Instruction

#### Migrant Students 1

The Superintendent will develop and implement a program to address the needs of migrant children in the District.

This program will include a means to:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students ~~through appropriate local, state and federal educational programs~~ including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.
3. Provide migrant children with ~~the opportunity~~ ~~full and appropriate opportunities~~ to meet the same ~~statewide~~ ~~challenging State academic assessment~~ standards that all children are expected to meet.
4. Provide advocacy and outreach programs to migrant children and their families and professional development for District staff.
5. Provide ~~programs, activities, and procedures for the engagement of parents/guardians and family members of migrant students an opportunity for meaningful participation in the programs in an understandable format and language]~~ ~~parents/guardians and family members of migrant students an opportunity for meaningful participation in the programs in an understandable format and language]~~

Comment [MSB]: Statutory language from 20 USC §6396(a)(1)(E)

Comment [MSB]: Statutory language cited in 20 USC §6391(3)

Comment [MSB]: 20 USC §6324(d)(3) requires that parents be consulted in the same manner as in §6318 (parent and family engagement - see Policy 6 170), and in a format and language understandable to parents

#### Migrant Education Program for Parent/Guardian and Family Member Engagement/Involvement

Parents/guardians and family members of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parents/guardians and family members of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

While some question whether the policy addressing migratory students adequately expands the scope to include family engagement, subsection to families is not optional. See 20 USC §6318 (f), stating Accessibility In carrying out the parent and family engagement requirements of this part, [school districts], to the extent practicable, shall provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under section 6311 of this title in a format and, to the extent practicable, in a language such parents understand

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 first sentence of this policy allows a school board to consider the goals for its migrant education program and to amend the sample policy accordingly. The Migrant Education Program is a federally funded program authorized under Title I, Part C, of ~~NCLB~~ ~~the Elementary and Secondary Education Act (ESEA)~~ ~~20 U.S.C. §6391 et seq.~~. ~~Note: Section 6391 of the ESEA was amended by the Every Student Succeeds Act (ESSA) on 12-10-15. However applicable regulations at 34 C.F.R. §200.80 have not been updated. Amendments to the regulations are highly likely within the next year.~~

To qualify for the program, a migrant child must have moved within the last ~~three~~ years across state or school district lines with a parent or guardian or on his/her own to obtain qualifying temporary or seasonal work in agriculture or fishing. Although most of the requirements are directed to State agencies, local school districts that receive State money for these programs will be held to many of the same requirements by the State. For additional information, see ~~NCLB - Non-Regulatory Guidance, "Education of Migratory Children," 10-23-09, at: www.ed.gov/news/ncrg/guidance2009.doc~~ ISBE's collection of material about the Migrant Education Program in Illinois is available at [www.isbe.net/filingunit/div02/migrant.htm](http://www.isbe.net/filingunit/div02/migrant.htm)

**LEGAL REF.:** 20 U.S.C. §6318.  
20 U.S.C. §6391 et seq.  
34 C.F.R. §200.80 et seq.

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

Comment [RAEL]: The policy, Legal References, and footnotes are updated to reflect new English Learner program requirements under ESSA, as amended by ESSA.

## Instruction

### English Learners <sup>1</sup>

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

1. **Assist all English 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 Learners.** <sup>2</sup>
2. **Appropriately identify students with limited English ~~speaking ability~~ language proficiency.** <sup>3</sup>

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

<sup>1</sup> State or federal law controls this policy's content. The assessment and accountability provisions in **NCLB** ~~the~~ **Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act**, and State law include ~~Limited-English Learner-proficient-students~~ **(20 U.S.C. §§ 6312, 6314, 6315, and 6318-6319 and)**. ~~Note: Applicable regulations at 34 C.F.R. Part 200 have not been updated; amendments to the regulations are highly likely within the next year.~~ **34 C.F.R. Part 200).**

~~NCLB/ESEA Title III, Part A, also known as the English Language Acquisition, Language Enhancement, and Academic Achievement Act, also provides funding to support schools' efforts to help children who are English learners "develop~~ **achieve at** high levels of ~~academic attainment in subjects so that all English learners can~~ and meet the ~~same~~ **challenging State academic content and student academic achievement standards** ~~that all children are expected to meet,~~ **(20 U.S.C. §§ 6312(2)(A) 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 Learners" (EL) rather than "English Language Learners (ELL)" or "Limited English Proficient (LEP)." LEP and ELL are no longer terms 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 are synonymous with LEP and ELL. P.A. 99-30 ~~has~~ also deleted language from "English language learner."

For purposes of this policy, *English Learners* is synonymous with the *State-law School Code* definition, which means: **(1) all students in grades Pre-K through 12 who were not born in the United States, whose native tongue is a language other than English, and who are incapable of performing ordinary classroom work in English; and (2) all students in grades Pre-K through 12 who were born in the United States of parents possessing no or limited English-speaking ability and who are incapable of performing ordinary classroom work in English (105 ILCS 5/14C-2, amended by P.A. 99-30).** ~~Note: The Illinois Administrative Code definition of English Learners has not been amended since the effective date of P.A. 99-30 and will provide that English Learners means any student in preschool, kindergarten or any of grades 1 through 12, whose home language background is a language other than English and whose proficiency in speaking, reading, writing, or understanding English 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) the ability 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 and 23 Ill. Admin. Code §228.10).~~

The Office for Civil Rights (OCR) at the U.S. Dept. of Education (ED) and the Civil Rights Division at the U.S. Department of Justice (DOJ) have issued joint guidance to assist school districts and all public schools in meeting their legal obligations to ensure that English learners can participate meaningfully and equally in educational programs and services. The guidance is available at: [www2.ed.gov/about/offices/list/ocr/letters/colleague-01-201501.pdf](http://www2.ed.gov/about/offices/list/ocr/letters/colleague-01-201501.pdf). In support of this guidance, the Office of English Language Acquisition released an *English Learner (EL) Tool Kit* to assist school districts in providing EL students with the support necessary to achieve their full academic potential. The *Tool Kit* is available at: [www2.ed.gov/about/offices/list/oelea/english-learner-toolkit/index.html](http://www2.ed.gov/about/offices/list/oelea/english-learner-toolkit/index.html).

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

3. Comply with State law regarding the Transitional Bilingual Educational Program (TBE) or Transitional Program of Instruction (TPI), whichever is applicable. <sup>4</sup>
4. Comply with any applicable State and federal requirements for the receipt of grant money for English Learners and programs to serve them. <sup>5</sup>
5. Determine the appropriate instructional program and environment for English Learners. <sup>6</sup>
6. Annually assess the English proficiency of English Learners and monitor their progress in order to determine their readiness for a mainstream classroom environment. <sup>7</sup>
7. Include English 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. <sup>8</sup>
8. Provide information to the parents/guardians of English Learners about: (a) the reasons for their child's identification, (b) their child's level of English proficiency, (c) the method of instruction to be used, (d) how the program will meet their child's needs, (e) how the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation, (e) specific exit requirements of the program, ~~(f)~~ how the program will meet their child's individualized education program, if applicable, and ~~(g)~~ information on parent/guardian rights. Parents/guardians will be regularly apprised of their child's progress and involvement will be encouraged. <sup>9</sup>

#### Parent Involvement <sup>10</sup>

Parents/guardians of English Learners will be informed how they can: (1) be involved in the education of their children, and (2) be active participants in assisting their children to attain English proficiency, achieve at high levels within a well-rounded education, and meet the challenging State academic standards expected of all students; ~~(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 Learners programs.~~

<sup>3</sup> 23 Ill.Admin.Code §228.15. Districts must administer a home language survey to each student entering the district's schools for the first time within 30 days after the student's enrollment. The survey's purpose is to identify students of non-English background. 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/html/forms-and-notifications.htm](http://www.isbe.net/bilingual/html/forms-and-notifications.htm)).

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

<sup>4</sup> 105 ILCS 5/14C-3, amended by P.A. 99-30, and 23 Ill.Admin.Code §§228.25 and 228.30.

<sup>5</sup> 20 U.S.C. §§6312, ~~6314, 6315, 6318, 6319~~ and 6801 et seq.; 34 C.F.R. Part 200; 105 ILCS 5/14C-1 et seq., amended by P.A. 99-30; and 23 Ill.Admin.Code Part 228.

<sup>6</sup> 23 Ill.Admin.Code §228.25.

<sup>7</sup> 23 Ill.Admin.Code §228.25(b).

<sup>8</sup> 34 C.F.R. Part 200.

<sup>9</sup> 20 U.S.C. §~~6312~~(e)(3)(A) and 23 Ill.Admin.Code §228.40.

<sup>10</sup> 20 U.S.C. §~~6312~~(e)(3)(C) and 23 Ill.Admin.Code Part 228.



**LEGAL REF.:** 20 U.S.C. ~~§§6312, 6314, 6315, and 6318-6319 and 6801,~~  
~~20 U.S.C. 65801 et seq.~~  
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)

Comment [KAS1]: The policy, incorporated by Reference, and footnotes, are updated to reflect new Title I program requirements and §6318 of ESSA, as amended by ESSA.

### Instruction

#### Title I Programs <sup>1</sup>

The Superintendent or designee shall pursue funding under Title I, Improving the Academic Achievement of the Disadvantaged, of the Elementary and Secondary Education Act, to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged or deprived children.

All District schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable. Teachers, administrators, and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools. <sup>2</sup>

#### Title I Parent and Family Engagement Involvement <sup>3</sup>

The District maintains programs, activities, and procedures for the involvement/engagement of parents/guardians and families of students receiving services, or enrolled in programs, under Title I. These programs, activities, and procedures are described in District-level and School-level compacts.

Comment [MBZ]: Under NCLB 20 USC §6318 was titled "Parental Involvement" Under ESSA, 20 USC §6318 is titled "Parent and family engagement"

#### District-Level Parent and Family Engagement Involvement Compact <sup>3</sup>

The Superintendent or designee shall develop a District-Level Parent and Family Engagement Involvement Compact according to Title I requirements. The District-Level Parent and Family Engagement Involvement Compact shall contain: (1) the District's expectations for parent and family engagement, (2) specific strategies for effective parent and family engagement/involvement activities to improve student academic achievement and school performance, and (3) other provisions as required by federal law. The Superintendent or designee shall ensure that the Compact is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

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

<sup>1</sup> State or federal law controls this policy's content. This policy is mandatory for any district that receives or desires to receive Title I funds. Title I is part of the Elementary and Secondary Education Act (20 U.S.C. §6301 et seq.). It was amended by the No Child Left Behind Act (NCLB)/Every Student Succeeds Act (ESSA, eff. 12-10-15). NCLB was signed on 1-8-02 and officially expired on 9-30-07. NCLB remains in effect due to a continuing resolution but must be reauthorized. The U.S. Dept. of Education invited each State educational agency (ISEE in Illinois) to request flexibility regarding NCLB requirements in exchange for rigorous and comprehensive State-developed plans designed to improve educational outcomes, close achievement gaps, increase equity, and improve instructional quality. See [www.ed.gov/policy/elseq/elseq/elseq\\_flexibility/index.html](http://www.ed.gov/policy/elseq/elseq/elseq_flexibility/index.html).

ISBE's focus on NCLB flexibility is reported at [www.isbe.state.il.us/nclb-univers/default.htm](http://www.isbe.state.il.us/nclb-univers/default.htm).

<sup>2</sup> This paragraph, or similar language, is mandatory for each district receiving Title I funds (20 U.S.C. §6321(c)).

<sup>3</sup> 20 U.S.C. §6318(a) requires each district receiving Title I funds to "develop jointly with, agree on with, and distribute to, parents of participating children a written parent and family engagement/involvement policy." This requirement is accomplished in this sample policy by mandating the superintendent or designee to develop a District-Level Parent and Family Engagement Involvement Compact, according to Title I requirements. A sample District-Level Parent and Family Engagement Involvement Compact is contained in 6:170-API, E1, District-Level Parent and Family Engagement Involvement Compact. A sample process for developing a parent and family engagement/involvement compact is contained in 6:170-API, Checklist for Development, Implementation, and Maintenance of Parent and Family Engagement Involvement Compacts for Title I Programs.

***School-Level Parental and Family Engagement-Involvement Compact*** 4

Each Building Principal or designee shall develop a *School-Level Parental and Family Engagement-Involvement Compact* according to Title I requirements. This *School-Level Parental and Family Engagement-Involvement Compact* shall contain: (1) a process for continually involving parents/guardians in its development and implementation, (2) how parents/guardians, the entire school staff, and students share the responsibility for improved student academic achievement, (3) the means by which the school and parents/guardians build and develop a partnership to help children achieve the State's high standards, and (4) other provisions as required by federal law. Each Building Principal or designee shall ensure that the *Compact* is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

Incorporated  
by Reference:

6:170-AP1, E1 (District-Level Parental and Family Engagement-Involvement Compact) and 6:170-AP1, E2 (School-Level Parental and Family Engagement-Involvement Compact)

LEGAL REF.:

Title I of the Elementary and Secondary Education Act, 20 U.S.C. §6301-6514.

CROSS REF.:

2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 5:190 (Teacher Qualifications), 5:280 (Duties and Qualifications), 6:15 (School Accountability), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 8:95 (Parental Involvement)

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

4 20 U.S.C. §6318(b) requires each school served under Title I to "jointly develop with, and distribute to, parents and family members of participating children a written parent and family engagement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of subsections (a) through (f) of this section." This requirement is accomplished in this sample policy by mandating the building principal or designee to develop a *School-Level Parental and Family Engagement-Involvement Compact*, according to Title I requirements. A sample *School-Level Parental and Family Engagement-Involvement Compact* is contained in 6:170-AP1, E2, *School-Level Parental and Family Engagement-Involvement Compact*. A sample process for developing a parental involvement compact is contained in 6:170-AP1, *Checklist for Development, Implementation, and Maintenance of Parental and Family Engagement-Involvement Compacts for Title I Programs*.

6:170

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## Instruction

### Student Testing and Assessment Program <sup>1</sup>

The District student assessment program provides information for determining individual student achievement and instructional needs; curriculum and instruction effectiveness; and school performance measured against District student learning objectives and statewide norms.

The Superintendent or designee shall manage the student assessment program that, at a minimum:

1. Administers the State assessment system, known as the *Partnership for Assessment of Readiness for College and Careers* (PARCC), to all students and/or any other appropriate assessment methods and instruments, including norm and criterion-referenced achievement tests, aptitude tests, proficiency tests, and teacher-developed tests.
2. Informs students of the timelines and procedures applicable to their participation in every State assessment. <sup>2</sup>
3. Provides each student's parents/guardians with the results or scores of each State assessment and an evaluation of the student's progress. See policy 6280, *Grading and Promotion*. <sup>3</sup>
4. Utilizes professional testing practices. <sup>4</sup>

Overall student assessment data on tests required by State law will be aggregated by the District and reported, along with other information, on the District's annual report card. <sup>5</sup> All reliable ~~tests~~ administered by the District and scored by entities outside of the District must be (1) reported to ISBE on its form by the 30<sup>th</sup> day of each school year, and (2) made publicly available to parents and

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

<sup>1</sup> State and federal law control this policy's content. Until July 1, 2012-1-14, 105 ILCS 5/2-3.64 contained the State assessment program; it was repealed by P.A. 98-972.

105 ILCS 5/2-3.64a-5, added by P.A. 98-972, requires ISBE to "establish the academic standards that are to be applicable to students who are subject to State assessments." It contains the schedule for assessing students by calendar year and grade. ISBE selected the *Partnership for Assessment of Readiness for College and Careers* (PARCC) as the State assessment and accountability measure. For ISBE resource material, see [www.isbe.net/assessment](http://www.isbe.net/assessment). In House Joint Resolution 54 (2015), members of the Ill. House and Senate encouraged school districts to not use results of the PARCC test for the 2014-2015 school year through the 2017-2018 school year "as a determining factor for making decisions about a student's educational opportunities, the evaluation of educators, and the allocation of resources based on educational achievement on this assessment."

105 ILCS 5/2-3.64a-5(d), added by P.A. 98-972 and P.A. 99-30 (deleted language from "English language learner"), contains the requirements for assessing students receiving special education services and students determined to be English learners.

<sup>2</sup> Required by 105 ILCS 5/2-3.64a-5(e), added by P.A. 98-972.

<sup>3</sup> 105 ILCS 5/2-3.64a-3(e), added by P.A. 98-972, requires districts to provide State assessment results/scores to students' parents/guardians. The second part of this provision is optional and may be deleted, i.e. "and an evaluation of the student's progress."

<sup>4</sup> 105 ILCS 5/2-3.107; 23 Ill.Admin.Code §1.30(a).

<sup>5</sup> Required by 105 ILCS 5/10-17a, amended by P.A. 99-642 and 99-648. School districts must annually, by October 31, submit to parents/guardians, district taxpayers, the Governor, the General Assembly, and ISBE a school report card assessing the performance of its schools and students. The school report card must describe student characteristics, curriculum information, student outcomes and progress, and school environment. The environment report must include indicators from the *school climate survey* approved under 105 ILCS 5/2-3.153, amended by P.A. 98-648 (requires ISBE, in addition to its default school climate survey, to identify 2 or 3 alternative school survey instruments from which districts may select).

~~guardians of students.~~ Board policy 7:340, *Student Records*, and its implementing procedures govern recordkeeping and access issues. 7

**LEGAL REF.:** Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.  
105 ILCS 5/2-3.63a-5, 5/2-3.64~~a-5~~, 5/10-17a, ~~5/22-82~~, and 5/27-1.

**CROSS REF.:** 6:15 (School Accountability), 6:280 (Grading and Promotion), 7:340 (Student Records)

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

6 105 ILCS 5/22-82, added by P.A. 99-590, requires every school district to report for each of its schools, by the 30th day of each school year, all reliable assessments for district administration that are scored by entities outside of the district. The district must make the report on an ISBE-provided form, starting with the 2016-2017 school year. At the date of publication, ISBE announced in its *Weekly Message* that it sent a survey tool to report the required information the week of 10-3-16 (See *Message From State Supr. on 10-4-16 at: www.isbe.net/board/archivemessages/2016/message-16042016.pdf*). Because districts have a wide range of starting dates, ISBE will likely establish a reporting window for providing this information.

Each school must also make this information publicly available to the parents and guardians of its students through the district's Internet website or distribute the information in paper form (Id. at (b)). See 2-250, *IE2, Immediately Available District Public Records and Web-Posted Reports and Records*.

7 105 ILCS 5/2-3.64a-5(e), added by P.A. 98-072, governs recording assessment results in school student records.

## Students

### Student and Family Privacy Rights <sup>1</sup>

#### Surveys <sup>2</sup>

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the District's educational objectives as identified in School Board policy 6:10, *Educational Philosophy and Objectives*, or assist students' career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

#### Surveys Created by a Third Party <sup>3</sup>

Before a school official or staff member administers or distributes a survey or evaluation created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey or evaluation, upon their request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a District official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

#### Survey Requesting Personal Information <sup>4</sup>

School officials and staff members shall not request, nor disclose, the identity of any student who completes any survey or evaluation (created by any person or entity, including the District) containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian.

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

<sup>1</sup> State or federal law requires this subject matter be covered by policy. State or federal law controls this policy's content. ~~The No-Child-Left-Behind-Act significantly changed the Protection of Pupil Rights Act, after the Hatch Amendment.~~ The Protection of Pupil Rights Act requires any school district, "that receives funds under any applicable program [to] develop and adopt policies, in consultation with parents, regarding [statutory privacy rights]." (20 U.S.C. §1232h(c)(1)). *Any applicable program* generally refers to any federal program administered by the U.S. Department of Education (20 U.S.C. §1221(e)). *Consultation with parents* is not defined; boards are advised, at minimum, to publicize the issue and request public comment during the policy's adoption.

<sup>2</sup> This paragraph is not dictated by law. It, however, contains the principles to guide staff and should be carefully considered and re-crafted by each board. Note that IASB sample board policy 6:10, *Educational Philosophy and Objectives*, is very broad and will thus justify surveys covering many subjects. However, it would prohibit the collection of information for marketing or selling (see *fn* 13 of this policy); delete reference if the board wants the option of selling personal information that is collected from students, such as in the following:

A survey requesting personal information from students, as well as any other instrument used to collect personal information from students, must have a business, educational, or marketing justification.

Another alternative is to strictly restrict the subjects on which students may be surveyed, as in the following:

All surveys requesting information from students, as well as any other instrument used to collect personal information from students, must be for the purpose of monitoring the quality of the District's educational programs or assisting students' career choices.

<sup>3</sup> Required by 20 U.S.C. §§1232h(c)(1)(A)(i) and 1232h(c)(2)(A)(ii).

<sup>4</sup> Required by 20 U.S.C. §1232h(c)(1)(B). Consult the board attorney to review the survey or questions before administering it. Given the current political climate, attorneys in the field are voicing concern about the increase in schools and staff requesting inappropriate information from a student, e.g., the number of people and/or families living in his or her home and/or whether firearms are present in the student's home.

**Comment (KASI):** The policy, Cross References, and footnotes are updated. The Physical Exams or Screenings subhead ref'd to an extracurricular drug and alcohol testing program, which is included in policy 7:240, *Conduct Code for Participants in Extracurricular Activities* and a Cross Reference to that policy is added. A footnote amended to remind boards to delete reference to an extracurricular drug and alcohol testing program and policy 7:240 if it elects not to have one. A footnote is updated to delete reference to NCLE, repealed by passage of ESSA.

2. Mental or psychological problems of the student or the student's family.
3. Behavior or attitudes about sex.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian.
8. Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

The student's parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, <sup>5</sup> and/or
2. Refuse to allow their child or ward to participate in the activity described above. <sup>6</sup> The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

#### Instructional Material <sup>7</sup>

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child/ward's educational curriculum within a reasonable time of their request.

The term "instructional material" means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments. <sup>8</sup>

#### Physical Exams or Screenings <sup>9</sup>

No school official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of school attendance. The term *invasive physical examination* means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

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

<sup>5</sup> Id.

<sup>6</sup> 20 U.S.C. §1232b(e)(2)(A)(ii).

<sup>7</sup> Required by 20 U.S.C. §1232b(e)(1)(C)(i).

<sup>8</sup> 20 U.S.C. §1232b(e)(6)(A).

<sup>9</sup> The Protection of Pupil Rights Act states that student's parent(s)/guardian(s) may refuse to allow their child or ward to participate in "non-emergency, invasive physical examination or screening." (20 U.S.C. §1232b(e)(2)(A)(ii)). This does not necessarily mean, however, that schools have authority to conduct invasive physical examinations or screenings of students. In order to avoid misunderstandings, the sample policy prohibits physical examinations and screenings of students as those terms are defined in the policy (and federal law).

A board that wants to retain this option must strike the first sentence and replace it with the following:

A student's parent(s)/guardian(s) may refuse to allow their child or ward to participate in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance, (b) administered by the school and scheduled by the school in advance; and (c) not necessary to protect the immediate health and safety of the student, or of other students.

1. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification. <sup>10</sup>
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 *et seq.*). <sup>11</sup>
3. Is administered pursuant to the District's extracurricular drug and alcohol testing program (see Policy 7:240, *Conduct Code for Participants in Extracurricular Activities*) otherwise authorized by Board policy. <sup>12</sup>
- 3.4. Is otherwise authorized by Board policy.

**Selling or Marketing Students' Personal Information Is Prohibited** <sup>13</sup>

No school official or staff member shall market or sell personal information concerning students (or otherwise provide that information to others for that purpose). The term *personal information* means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) a telephone number, (4) a Social Security identification number or (5) driver's license number or State identification card. <sup>14</sup>

The above paragraph does not apply: (1) if the student's parent(s)/guardian(s) have consented; or (2) to the collection, disclosure or, use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following: <sup>15</sup>

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for school-related or education-related activities.
6. Student recognition programs.

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

~~<sup>10</sup> 20 U.S.C. §1232h(e)(4)(B)(ii).~~

~~<sup>11</sup> 20 U.S.C. §1232h(e)(5)(A)(ii).~~

~~<sup>12</sup> Delete if the board has not adopted a drug and alcohol testing program for extracurricular participants. *that policy should be referenced here and added to this policy's cross references. (See the optional program in 7:240, Conduct Code for Participants in Extracurricular Activities.) Also delete reference to 7:240, Conduct Code for Participants in Extracurricular Activities in this policy's cross references.*~~

<sup>13</sup> The Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17/, prohibits the sale of personal information concerning a child under the age of 16, with a few exceptions, unless the parent(s)/guardian(s) have consented. Federal law [20 USC §1232h(e)(1)(B)] is similar but not identical. In order to effectuate both laws, the sample policy prohibits the sale or marketing of *personal information* unless the parents/guardians have consented.

<sup>14</sup> 20 U.S.C. §1232h(e)(6)(B); Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17/. See fn 7 in 7:340, *Student Records*, for a discussion about managing FOIA requests for items (1)-(3) under *personal information* in this paragraph.

<sup>15</sup> *Id.*



Under no circumstances may a school official or staff member provide a student's *personal information* to a business organization or financial institution that issues credit or debit cards. 16

**Notification of Rights and Procedures** 17

The Superintendent or designee shall notify students' parents/guardians of:

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child or ward out of participation in activities as provided in this policy.
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled. 18
4. How to request access to any survey or other material described in this policy.

This notification shall be given parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor. 19

**LEGAL REF.:** 20 U.S.C. §1232h, Protection of Pupil Rights Act.  
325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.  
105 ILCS 5/10-20.38.

**CROSS REF.:** 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:300 (Extracurricular Athletics)

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

16 103 ILCS 5/10-20.38.

17 The details in this section are specified in and required by 20 U.S.C. §1232h(c)(2). This information should be in the student handbook.

18 If the board chose to keep the option of marketing personal information received from students and/or conducting physical exams, add the following to this list as appropriate: "collection of personal information from students for marketing and physical examinations or screenings."

19 20 U.S.C. §1232h(c)(5)(B).

7:15

Page 4 of 4

## Students

### Student Assignment and Intra-District Transfer <sup>1</sup>

#### Attendance Areas

The School District is divided into school attendance areas. The Superintendent will review the boundary lines annually and recommend any changes to the School Board.<sup>2</sup> The Superintendent or designee shall maintain a map of the District showing current school attendance areas. Students living in a given school attendance area will be assigned to that school.<sup>3</sup> Homeless children shall be assigned according to Board policy 6:140, *Education of Homeless Children*.

#### Transfers Within the District <sup>4</sup>

A student's parent(s)/guardian(s) may request a transfer for their child to a District school other than the one assigned. A request should be directed to the Superintendent, who, at his or her sole discretion, may grant the request when the parent(s)/guardian(s) demonstrate that the student could be better accommodated at another school, provided space is available. If a request is granted, the parent/guardian shall be responsible for transportation.<sup>5</sup> The provisions in this section have no applicability to transfers pursuant to: ~~(1) Title I covered in Board policy 6:15, School Accountability; or (2) the Unsafe School Choice Option covered in Board policy 4:170, Safety.~~

#### Class Assignments

The Superintendent or designee shall assign students to classes.

LEGAL REF.: 105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.: 4:170 (Safety), ~~6:15 (School Accountability)~~, 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

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

<sup>1</sup> State law requires that intra-district transfers be covered by policy and controls this policy's content (105 ILCS 5/10-21.3a).

<sup>2</sup> School attendance areas must be periodically revised, if necessary, to prevent or eliminate segregation by color, race, or nationality (105 ILCS 5/10-21.3).

<sup>3</sup> State law grants boards broad authority concerning assignment of students to schools (105 ILCS 5/10-22.5). A child is presumed to be a resident of the district in which the child's legal custodian parents, or custodial parent after a divorce, reside. (105 ILCS 5/10-20.12b). The facts surrounding a transfer of custody will determine whether residency for school attendance purposes has changed. *Turner v. Board of Education North Chicago Community High School District 123*, 294 N.E.2d 264 (Ill. 1973).

<sup>4</sup> The details for intra-district transfers are determined locally; State law does not address when, or even if, intra-district transfers should be granted. ~~See sample policy 6:15, School Accountability, for transfers pursuant to Title I.~~ For districts that maintain one attendance center, delete this subhead.

<sup>5</sup> To limit the acceptable reasons supporting a transfer request, a board should consider this alternative: "...when the parent(s)/guardian(s) demonstrate that the student could be better accommodated by the educational program at another school ... ."

## **Policy 7:30 Student Assignment and Intra-District Transfer**

### **Attendance Areas**

The School District is divided into school attendance areas. The Superintendent will review the boundary lines annually and recommend any changes to the School Board. The Superintendent or designee shall maintain a map of the District showing current school attendance areas. Students living in a given school attendance area will be assigned to that school. Homeless children shall be assigned according to Board policy 6:140, *Education of Homeless Children*.

### **Transfers Within the District**

A student's parent(s)/guardian(s) may request a transfer for their child to a District school other than the one assigned. A request should be directed to the Superintendent, who, at his or her sole discretion, may grant the request when the parent(s)/guardian(s) demonstrate that the student could be better accommodated at another school, provided space is available. Convenience of school location will not be a consideration. If a request is granted, the parent/guardian shall be responsible for transportation. The provisions in this section have no applicability to transfers pursuant to: (1) Title I covered in Board policy 6:15, *School Accountability*, or (2) the Unsafe School Choice Option covered in Board policy 4:170, *Safety*.

### **Class Assignments**

The Superintendent or designee shall assign students to classes.

### **LEGAL REF.:**

105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.50.

CROSS REF: 4:170 (Safety), 6:15 (School Accountability), 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children)

ADOPTED: October 27, 1997

REVISED: November 25, 2002; November 24, 2003; June 30, 2008; December 12, 2011; February 24, 2014

Park Ridge-Niles School District 64

Added to our  
policy

## Students

### Residence<sup>1</sup>

#### Resident Students

Only students who are residents of the District may attend a District school without a tuition charge, except as otherwise provided below or in State law.<sup>2</sup> A student's residence is the same as the person who has legal custody of the student.<sup>3</sup>

A person asserting legal custody over a student, who is not the child's natural or adoptive parent, shall complete a signed statement, stating: (a) that he or she has assumed and exercises legal responsibility for the child, (b) the reason the child lives with him or her, other than to receive an education in the District, and (c) that he or she exercises full control over the child regarding daily educational and medical decisions in case of emergency. If the District knows the current address of the child's natural or adoptive parent, the District shall request in writing that the person complete a signed statement or Power of Attorney stating: (a) the role and responsibility of the person with whom their child is living, and (b) that the person with whom the child is living has full control over the child regarding daily educational and medical decisions in case of emergency.<sup>4</sup>

A student whose family moves out of the District during the school year will be permitted to attend school for the remainder of the year without payment of tuition.<sup>5</sup>

When a student's change of residence is due to the military service obligation of the student's legal custodian, the student's residence is deemed to be unchanged for the duration of the custodian's military service obligation if the student's custodian made a written request. The District, however, is not responsible for the student's transportation to or from school.<sup>6</sup>

If, at the time of enrollment, a dependent child of military personnel is housed in temporary housing located outside of the District, but will be living within the District within 60 days after the time of

ASERT  
A

Comment (BSSA): The policy, Cross References, and footnotes are updated

1. The policy now aligns with amendments to residency challenge procedures under 105 ILCS 5/10-20.12b made by P.A. 99-670, eff. 1-17.

2. Non-accident is changed to inconsistent for consistency with the School Code.

3. A new footnote addresses divorced or divorcing parents under the Illinois Marriage and Dissolution of Marriage Act, 750 ILCS as amended by P.A. 99-90.

4. References to NCLB's school choice provisions are deleted due to the statute's repeal by the passage of ESSA.

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 In certain cases, no tuition may be charged for non-resident children placed: (1) by DCFS with a foster parent or childcare facility (105 ILCS 5/10-20.12b); or (2) with a person who (i) has temporary custody of a child of a person who is on active military duty, and (ii) is responsible for making decisions for that child (105 ILCS 70/-added-by-P.A.-96-916). When special education services are provided, resident district is determined by 105 ILCS 5/14-1.11 and 14-1.11a.

3 In the case of divorced or divorcing parents, the Illinois Marriage and Dissolution of Marriage Act, 750 ILCS 5/-amended by P.A. 99-90, provides that "for purposes of Section 10-20.12b of the School Code only, the parent with the majority of parenting time is considered to have legal custody." See 750 ILCS 5/605.10. P.A. 99-90 also requires a parenting plan that sets forth a child's residential address for school enrollment purposes (750 ILCS 5/602.10(D)(6)). Consult the board attorney when the residential address set forth in a parenting plan is not the address of the parent with the majority of parenting time.

4 105 ILCS 5/10-20.12b. In order to establish residence, a school district may not require a parent to transfer custody/guardianship to the person with whom the child is living. *Janel S. by Owens v. Board of Education of Oak Park and River Forest High School Dist. 200*, 601 N.E.2d 1264 (Ill.App. 1992). See also *Joel R. v. Board of Education of Manheim School Dist. 83*, 686 N.E.2d 650 (Ill.App. 1997).

5 105 ILCS 5/10-20.12a.

6 105 ILCS 5/10-20.12b(a-5).

initial enrollment, the child is allowed to enroll, subject to the requirements of State law, and must not be charged tuition.<sup>7</sup>

#### Requests for Non-Resident Student Admission<sup>8</sup>

Non-resident students may attend District schools upon the approval of a request submitted by the student's parent(s)/guardian(s) for non-resident admission. The Superintendent may approve the request subject to the following:<sup>9</sup>

1. The student will attend on a year-to-year basis. Approval for any one year is not authorization to attend a following year.
2. The student will be accepted only if there is sufficient room.
3. The student's parent(s)/guardian(s) will be charged the maximum amount of tuition as allowed by State law.<sup>10</sup>
4. The student's parent(s)/guardian(s) will be responsible for transporting the student to and from school.

Comment [MB2]: Amended for consistency with the School Code, which uses "nonresident," not "non-resident"

#### Admission of Non-Resident Students Pursuant to an Agreement or Order<sup>11</sup>

Non-resident students may attend District schools tuition-free pursuant to:

1. A written agreement with an adjacent school district to provide for tuition-free attendance by a student of that district, provided both the Superintendent or designee and the adjacent district determine that the student's health and safety will be served by such attendance.
2. A written agreement with cultural exchange organizations and institutions supported by charity to provide for tuition-free attendance by foreign exchange students and non-resident pupils of charitable institutions.
3. According to an intergovernmental agreement.
4. Whenever any State or federal law or a court order mandates the acceptance of a non-resident student.

#### Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required to establish residency.<sup>12</sup> School Board policy 6:140,

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

<sup>7</sup> 105 ILCS 5/10-22.5a. Military personnel must provide proof that the child will be living within the district within 60 days after the date of initial enrollment. Proof of residency may include postmarked mail addressed to the military personnel and sent to an address located within the district, a lease agreement for occupancy of a residence located within the district, or proof of ownership of a residence located within the district.

<sup>8</sup> ~~Optional SUBORDINATE - Admitting non-resident students under this section probably requires the district to admit students transferring from another district under ICSBA's school choice provision. This is a requirement that will require any invitation to enter into an intergovernmental agreement to accept non-resident students under ICSBA's school choice should delete this provision.~~ A district that wants to include this subhead should specify and customize the listed criteria to match local conditions.

<sup>9</sup> State law is silent regarding non-resident student enrollment except to require the parent(s)/guardian(s) to pay tuition (105 ILCS 5/10-20.12a and 5/10-20.12b).

<sup>10</sup> 105 ILCS 5/10-20.12a specifies a formula for calculating the maximum amount a district can charge non-resident students.

<sup>11</sup> ~~ILCS Board intends to accept any invitation to accept non-resident students under ICSBA's school choice - It should not be necessary to require entering into any agreement described in this section.~~ The agreement described in #1 is optional (105 ILCS 5/10-22.5a) and districts are not required to enter into such agreements nor to alter existing transportation services due to the attendance of such non-resident students. The agreement described in #2 is optional (105 ILCS 5/10-22.5a); districts should be sure it is consistent with policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*. An example of an agreement described in #3 is one to accept non-resident students under the ~~ICSBA's school choice provisions~~; entering into such an agreement is optional.

*Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

**Challenging a Student's Residence Status<sup>13</sup>**

If the Superintendent or designee determines that a student attending school on a tuition-free basis is a non-resident of the District for whom tuition is required to be charged, he or she on behalf of the School Board shall notify the person who enrolled the student of the tuition amount that is due. ~~The notice shall detail the specific reasons why the Board believes that the student is a nonresident of the District and the notice~~ shall be given by certified mail, return receipt requested. The person who enrolled the student may challenge this determination and request a hearing as provided by the School Code, 105 ILCS 5/10-20.12b.

**LEGAL REF.:** McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.  
105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.  
105 ILCS 45/ and 70/  
23 Ill.Admin.Code §1.240.  
Israel S. by Owens v. Board of Educ. of Oak Park and River Forest High School Dist. 200, 601 N.E.2d 1264 (Ill.App.1, 1992).  
Joel R. v. Board of Education of Manheim School District 83, 686 N.E.2d 650 (Ill.App.1, 1997).  
Kraut v. Rochford, 366 N.E.2d 497 (Ill.App.1, 1977).

**CROSS REF.:** ~~6:15 (School Accountability containing "School Choice for Students Enrolled in a School Identified for Improvement, Corrective Action, or Restructuring");~~  
6:140 (Education of Homeless Children), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:70 (Attendance and Truancy)

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<sup>12</sup> Required by 105 ILCS 45/1-1 et seq. and the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq. ~~as amended by the NCPSBA. See §11432 (g)(3)(C)(i).~~

<sup>13</sup> Id. See administrative procedure 7:60-AP, *Challenging a Student's Residence Status*, for sample procedures implementing this paragraph.

~~<sup>14</sup> 105 ILCS 5/10-20.12b, as amended by P.S. 72-670, eff. 1-1-17.~~

Policy 7:60 - Residence

A

All returning District 64 students must re-verify residency annually prior to being admitted to attend class on the first day of school.

B

If a student's family has documented plans to move into the District within 60 days of the date of enrollment, the student will be allowed to attend school by submitting payment to the School District on a per-diem basis for the number of anticipated attendance days. The per-diem rate is the amount listed in the most recent Annual Financial Report (Illinois State Board of Education Form 50-35) per capita cost of conducting and maintaining the District's schools. When documented proof of occupancy in District 64 is provided to the business office, a reconciliation of the tuition due will be made accordingly.

Any request for exception to that portion of this policy requiring payment for the number of anticipated attendance days shall be made to the Superintendent.

12/7/16

**Policy 7:60 - Residence**

**A** All returning District 64 students must re-verify residency annually prior to being admitted to attend class on the first day of school.

**B** If a student's family has documented plans to move into the District within 60 days of the date of enrollment, the student will be allowed to attend school by submitting payment to the School District on a per-diem basis for the number of anticipated attendance days. The per-diem rate is calculated by dividing the per capita tuition cost of conducting and maintaining the District's schools in the most recent Annual Financial Report (Illinois State Board of Education form 50-35) by the number of school attendance days in the year. When documented proof of occupancy in District 64 is provided to the business office, a reconciliation of the tuition due will be made accordingly.

Any request for exception to that portion of this policy requiring payment for the number of anticipated attendance days shall be made to the Superintendent.

**Revised 1/13/17**



Comment [RASI]: The policy, Cross References, and Statutes are updated throughout 105 ILCS 5/26-1, amended by P.A. 99-604 (eff. 1-1-17) (students receiving Title of a military honor funeral held in Illinois for a deceased veteran)

## Students

### Attendance and Truancy <sup>1</sup>

#### Compulsory School Attendance <sup>2</sup>

This policy applies to individuals who have custody or control of a child: (a) ~~between the ages of six (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:~~

~~Before the 2014-2015 school year, students between the ages of 7 and 17 years;~~

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

<sup>1</sup> 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 ~~considering~~ supportive services and available resources for truant. 23 Ill.Admin.Code §1.290 requires the same plus ~~that the policy contain~~ a definition of valid cause for absence in accordance with 105 ILCS 5/26-2a and a description of diagnostic procedures to identify the cause(s) of absenteeism.

<sup>2</sup> 105 ILCS 5/26-2, ~~amended by P.A. 99-644, eff. 7-1-14,~~ addresses enrolled students below or over set compulsory attendance ages. The 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.~~

<sup>3</sup> 105 ILCS 5/26-1, ~~amended by P.A. 99-644, 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
- 1-2. A protocol for excusing a student in grades 6 through 12 from attendance to attend round trips at a military honors funeral held in Illinois for a deceased veteran. 5
- 2-3. A process to telephone, within 24 hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification. 6
- 3-4. 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.
- 4-5. Methods A description of diagnostic procedures 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 about the reasons for the student's attendance problem. 7
- 5-6. 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

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

3 These reasons are in 105 ILCS 5/26-2a, ~~amended by P.A. 97-318~~, 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. 97-318 changed the definition of chronic or habitual truants, which is now "a child who is subject to compulsory school attendance and who is absent without valid cause from such attendance for 546 or more of the previous 180 regular attendance days." P.A. 97-975 replaced the Juvenile Court Act's definition of chronic truants 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). This 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 230 (child labor regulations).

5 105 ILCS 5/26-1, amended by P.A. 99-804, eff. 1-1-17. A student must notify the building principal or other administrator at least two days prior to the absence providing the date, time, and location of the military honors funeral. This requirement may be waived if the student did not receive notice at least two days in advance, but the student shall notify the administration as soon as possible of the absence.

A student whose absence is excused to attend round trips shall be counted in attendance for purposes of calculating the average daily attendance of students in the district. The district must allow the student reasonable time to make up school work and if school work is satisfactorily completed, the day of absence is counted as an attendance day for the student.

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

7 ~~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(b)(2)).~~

information about community agency services.<sup>8</sup> See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.

6-7.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.<sup>9</sup>

7-8.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.<sup>10</sup>

8-9.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.<sup>11</sup>

9-10.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.<sup>12</sup>

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

<sup>8</sup> 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(B) (State Board of Education report).

<sup>9</sup> 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.*

<sup>10</sup> 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).

<sup>11</sup> 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). ~~Municipalities may regulate truants by ordinance and impose fines and/or community services on truants or, if the truant is under 13 years of age, on the parent or custodian 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 (105 ILCS 10/6(a)(6.5)).~~ ~~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.

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

<sup>13</sup> 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."

~~[For high school and unit districts only]~~

~~10.11. A process for a 17-year-old resident to participate in the District's various programs and resources for truant. 11 The student must provide documentation of his/her dropout status for the previous ~~six~~ 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*.~~

~~11.12. 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. 14~~

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/Behavior), 7:340 (Student Records)

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 truant; or were previously certified as chronic or habitual truant 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 *Fifty Message*, 8-28-07, [www.isbe.net/board/archivemessages/messec082807.pdf](http://www.isbe.net/board/archivemessages/messec082807.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 Family Educational Rights and Privacy Act.

13 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).

14 Optional, but provided in 105 ILCS 5/26-2(c)(3); ISBE's rule controls the appeal process, 23 Ill.Admin.Code §1.242.

7:70

Page 4 of 4

OK

Comment [KAS]: The policy, Legal References, and footnotes are updated to address 105 ILCS 5/10-20.5B, added by P.A. 99-781 (student support services provided by the district may include a liaison to facilitate the enrollment and transfer of records of students and more).

## Students

### Student Support Services 1

The following student support services may be provided by the School District:<sup>2</sup>

1. Health services supervised by a qualified nurse.<sup>3</sup> The Superintendent or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease.
2. Educational and psychological testing services and the services of a psychologist as needed. In all cases, written permission to administer a psychological 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.
- 4.5. A liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Illinois Department of Children and Family Services when enrolling in or changing schools.<sup>4</sup>

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(g)).

105 ILCS 5/2-2.143P.A. 23-558 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.povertyline.org/advocacy/work22-and-family-task-force/esa-task-force-report.htm](http://www.povertyline.org/advocacy/work22-and-family-task-force/esa-task-force-report.htm). 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. School districts may employ noncertificated non-professional nurses licensed registered professional nurses to perform professional nursing services (105 ILCS 5/10-22.23; 23 Ill.Admin.Code §1.760(c)). A registered professional nurse means any nurse who is licensed to practice professional nursing in Illinois under the Nurse Practice Act (225 ILCS 650) and whose license is active and in good standing with the Ill. Dept. of Financial and Professional Regulation (23 Ill. Admin.Code §1.760(b)).

A school nurse means any registered professional nurse who also holds a professional educator license endorsed for school support services in school nursing, or any registered professional nurse who does not hold the professional educator license but was employed in the school district of current employment before 7-1-76 (23 Ill. Admin.Code §1.760(c)).

105 ILCS 5/10-22.23 provides that 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/licensed under Section 21-25 (105 ILCS 5/21-25). However, that certification/licensure Section 5/21-25 of the School Code was repealed by P.A. 98-413, eff. 8-16-13. A non-certified/registered professional nurse may perform nursing services (105 ILCS 5/10-22.23-cv.1-5/21-25; 23 Ill. Admin.Code §1.760).

A school nurse may be an educator licensed under a school support personnel endorsement (105 ILCS 5/21B-25/2Y(G); 23 Ill. Admin.Code §25.245). An individual who fails to meet one or more requirements for this endorsement may seek an educator license with stipulations endorsed for provisional educator (105 ILCS 5/21B-20; 23 Ill. Admin.Code §25.245).

The Superintendent or designee shall develop protocols for responding to students with social, emotional, or mental health problems that impact learning ability.<sup>4</sup> 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.

**LEGAL REF.:** Children's Mental Health Act of 2003, 405 ILCS 49/  
Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/  
[105 ILCS 5/10-20.5f.](#)

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

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<sup>4</sup> Optional 105 ILCS 5/10-20.5f. added by P.A. 99-781 allows a District to give this policy in compliance with policy 7:50, School Admissions and Student Transfers To and From Non-District Schools. See item 13 in 7:50, School Admissions and Student Transfers To and From Non-District Schools for District responsibilities and requirements.

<sup>5</sup> Required by the Children's Mental Health Act of 2003, 405 ILCS 49/15.

OK

# RENAMED

Comment [KAS1]: RENAMED The policy is RENAMED for accuracy in response to 23 Ill. Admin. Code §1-425(a)(3) and 23 Ill. Admin. Code §1-425, added at 40 Ill. Reg. 2990. Other updates are made throughout.

## Students

### Exemption from Physical Activity Education <sup>1</sup>

In order to be excused from participation in physical education, a student must present an appropriate excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act.<sup>2</sup> The excuse may be based on medical or religious prohibitions. An excuse because of medical reasons must include a signed statement from a person licensed under the Medical Practice Act that corroborates the medical reason for the request. An excuse based on religious reasons must include a signed statement from a member of the clergy that corroborates the religious reason for the request.<sup>3</sup>

Special activities in physical education will be provided for a student whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents his or her participation in the physical education course.<sup>4</sup>

State law prohibits the Board-school-board from honoring parental excuses based upon a student's participation in athletic training, activities, or competitions conducted outside the auspices of the School District.<sup>5</sup>

Comment [KAS2]: Relocated. Footnote 4 used to be footnote 7 in the prior version of policy.

A student who is eligible for special education may be excused from physical education courses in either of the following situations:<sup>6</sup>

1. He or she (a) is in grades 3-12, (b) his or her IEP requires that special education support and services be provided during physical education time, and (c) the parent/guardian agrees or the IEP team makes the determination, or
2. He or she (a) has an IEP, (b) is participating in an adaptive athletic program outside of the school setting, and (c) the parent/guardian documents the student's participation as required by the Superintendent or designee.

A student requiring adapted physical education must receive that service in accordance with his or her Individualized Educational Program/Plan (IEP).<sup>7</sup>

Comment [KAS3]: This is the deleted, duplicate text from policy 6-310.

Comment [KAS4]: This is the deleted, duplicate text from policy 6-310.

Comment [KAS5]: Paragraph is not now was relocated. A footnote provides the citation.

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

<sup>1</sup> An ISBE rule requires boards to have a policy defining the types of parental excuses that will be accepted in order for a student to be exempted from P.E. (23 Ill.Admin.Code §1-420(p)-1.425(a) (added at 40 Ill. Reg. 2990)). State or federal law controls this policy's content.

<sup>2</sup> For elementary districts, delete: 6-310 - ~~Web-School-Credit-for-Non-District-Experiences-Course-Substitutions-Re-Entering-Students~~ from the cross-reference of this policy.

<sup>3</sup> Medical Practice Act is found in 225 ILCS 60/.

<sup>4</sup> Required by 23 Ill.Admin.Code §1.425(a)(3). School boards must identify any evidence/support they will require for excuses they will deem appropriate. Before the board adopts this policy, it should have a conversation with the superintendent to discuss and review and/or amend the sample reasons for excusal offered in this policy. Topics for discussion include determining whether (a) the sample reasons are sufficient, (b) more reasons are needed, and/or (c) the sample reasons should be amended. These conversations should be based upon the community's needs.

<sup>5</sup> Required by 105 ILCS 5/27-6 and 23 Ill.Admin.Code §1-420(p)-1.425(a).

<sup>6</sup> 105 ILCS 5/27-6(b); 23 Ill.Admin.Code §1-420(p)-1.425(a)(2). See policy 6-310, *High School Credit for Non-District Experiences, Course Substitutions, Re-Entering Students* for a list of categories of students in grades 9-12 who may be excused from P.E. due to participation in school district athletic training, activities, or competitions.

<sup>7</sup> 105 ILCS 5/27-6(b).

<sup>8</sup> 105 ILCS 5/27-6(b).

~~A student in grades 9-12, unless otherwise stated, may submit a written request to the Building Principal to be excused from physical education courses for the reasons stated in 6:310. High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students.~~

~~The Superintendent or designee shall maintain records showing that the criteria set forth in this policy were applied to the student's individual circumstances, as appropriate. §~~

LEGAL REF.: 105 ILCS 5/27-6.  
225 ILCS 60, Medical Practice Act.  
23 Ill.Admin.Code §1.420(p) and §1.425(d), (e), (f).

CROSS REF.: 6:60 (Curriculum Content), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students)

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.  
§ 23 Ill.Admin.Code §1.425(f). Districts must maintain records showing that the criteria set forth in 105 ILCS 5/27-6 was applied to the student's individual circumstances.



Comment: [KASB] The policy is unchanged w  
 one minor nonsubstantive update. A footnote is  
 updated for P.A. 09-711, eff. 1-1-17 (mandates  
 epinephrine auto-injectors, access location around  
 before, during, and after school). Consult the law  
 attorney about this provision and its impact.  
 Stewart L. Gorman, Comm. Dir., Sch. Dist. No.  
 1011 -- N.E. 34 -- (Ill. App. 2, 2016)

## Students

### Administering Medicines to Students<sup>1</sup>

Students should not take medication during school hours or during school-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent/guardian believe that it is necessary for the student to take a medication during school hours or school-related activities, the parent/guardian must request that the school dispense the medication to the child and otherwise follow the District's procedures on dispensing medication.

No School District employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed "School Medication Authorization Form" is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

Nothing in this policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students.<sup>2</sup>

### Self-Administration of Medication<sup>3</sup>

A student may possess an epinephrine auto-injector, e.g., (EpiPen®) and/or asthma medication prescribed for use at the student's discretion, provided the student's parent/guardian has completed and signed a *School Medication Authorization Form*. The School District shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication or epinephrine auto-injector or the storage of any medication by school personnel.<sup>4</sup> A student's parent/guardian must indemnify and hold harmless the School District and its employees and agents, against any claims, except a claim based on willful and wanton conduct,

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

<sup>1</sup> All districts must have a policy for administering medication (105 ILCS 5/10-20.14b). State law prohibits school boards from requiring that teachers and other non-administrative school employees administer medication to students; exceptions are certificated school nurses and non-certificated registered professional nurses (105 ILCS 5/10-22.21b).

<sup>2</sup> Each district must inform students (e.g., through homeroom discussion or loudspeaker announcement) about, and distribute to their parents/guardians, the district's policy, guidelines, and forms on administering medicines within 15 days after the beginning of each school year, or within 15 days after starting classes for a student who transfers into the district (105 ILCS 5/10-20.14b). A comprehensive Student Handbook can provide notice to parents and students of the school's rules, extracurricular and athletic participation requirements, and other important information. The Handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board.

<sup>3</sup> 105 ILCS 5/22-30, requires school districts to allow students to *self-administer* their prescribed asthma medication and an epinephrine auto-injector as described. *Self-carry* means a student's ability to carry his or her prescribed asthma medication or epinephrine auto-injector. *Self-administer* and *self-administration* mean that a student may use these two medications at his or her discretion: (1) while in school, (2) while at a school sponsored activity, (3) while under the supervision of school personnel, or (4) before or after normal school activities, such as while in before-school or after-school care on school-operated property.

<sup>4</sup> 105 ILCS 5/22-30(e) requires this information to be in a notification to parents.

arising out of a student's self-administration of an epinephrine auto-injector and/or medication, or the storage of any medication by school personnel.<sup>5</sup>

#### **School District Supply of Undesignated Epinephrine Auto-Injectors<sup>6</sup>**

The Superintendent or designee shall implement Section 22-30(f) of the School Code and maintain a supply of undesignated epinephrine auto-injectors in the name of the District and provide or administer them as necessary according to State law. *Undesignated epinephrine auto-injector* means an epinephrine auto-injector prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law,<sup>7</sup> may administer an undesignated epinephrine auto-injector to a person when they, in good faith, believe a person is having an anaphylactic reaction. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.<sup>8</sup>

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

<sup>5</sup> 105 ILCS 5/22-30(e) requires parents/guardians to sign a statement (1) acknowledging the statement from fn 4 above, and (2) that they must indemnify and hold harmless the school district and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the self-administration of medication by the student or the storage of the medication by school personnel. There are several methods to obtain a parent/guardian's signature for this purpose, e.g., receipt of handbook signature, or use 7-270 B, *School Medication Authorization Form*. Discuss with the board attorney the method that works best for the district.

<sup>6</sup> *Optional.* A school board must ensure that it does not adopt this section into the policy unless it is prepared to implement 105 ILCS 5/22-30, amended by P.A. 99-711, eff. 1-1-17. The law permits a district to maintain a supply of undesignated epinephrine auto-injectors in any secure location that is accessible before, during, and after school where an allergic person is most at risk, including, but not limited to, classrooms and lunchrooms, where an allergic person is at risk and use them when necessary. The P.A. 99-711 amendment requiring accessibility before, during, and after school does not address the logistical issues that classrooms are typically locked before and after school. Consult the board attorney about the implementation issues with this new phrase in the law.

*Consult the board attorney about the consequences of informing the community that the district will obtain a prescription for a supply of undesignated epinephrine auto-injectors and implement a plan for their use, and then not doing it may be fraught with legal liabilities. Also fraught with legal liabilities is if the district is providing them, not buying them accessible before, during, and after school where an allergic person is most at risk as required by P.A. 99-711, eff. 1-1-17. See In re: Estate of Stewart v. Oswego Comm. Unit Sch. Dist. No. 308 -- N.E. 3d -- (Ill. App. 2, 2016) (denying tort immunity to district, finding its response to a student's asthma attack was willful and wanton (which district disputed as a possible heart attack)).*

The superintendent is given broad authority to implement this section; however, several preliminary steps should occur with the assistance of the board attorney. They include, but are not limited to: (1) investigating the feasibility of obtaining a prescription for a supply of undesignated epinephrine auto-injectors in the name of the district or one of its schools, and (2) outlining the advantages and disadvantages of implementing this plan based upon each district's individual resources and circumstances, and student population's needs.

<sup>7</sup> State law defines *trained personnel* as any school employee or volunteer personnel authorized in Sections 10-22.34, 10-22.34a, and 10-22.34b of this Code who has completed training to recognize and respond to anaphylaxis (105 ILCS 5/22-30(a)). ISBE must develop the training curriculum for trained personnel, and it may be conducted online or in person (Id. at (b) and 23 ILAdmin Code §1.540(e)(3)). P.A. 99-480 did not amend the trained personnel to include recognition and response to an opioid overdose. However, 105 ILCS 5/22-30(h-5), amended by P.A. 99-480 and 23 ILAdmin Code §1.540(e)(4) list the training curriculum requirements to recognize and respond to an opioid overdose.

<sup>8</sup> 23 ILAdmin Code §1.540(e)(7)&(8).

### School District Supply of Undesignated Opioid Antagonists<sup>9</sup>

The Superintendent or designee shall implement Section 22-30(f) of the School Code and maintain a supply of undesignated opioid antagonists in the name of the District and provide or administer them as necessary according to State law. *Opioid antagonist* means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting drug approved by the U.S. Food and Drug Administration. *Undesignated opioid antagonist* is not defined by the School Code; for purposes of this policy it means an opioid antagonist prescribed in the name of the District or one of its schools. A school nurse or trained personnel,<sup>10</sup> as defined in State law, may administer an undesignated opioid antagonist to a person when they, in good faith, believe a person is having an opioid overdose. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.<sup>11</sup>

### Void Policy: Disclaimer<sup>12</sup>

The School District Supply of Undesignated Epinephrine Auto-Injectors section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for undesignated epinephrine auto-injectors from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school epinephrine auto-injectors.<sup>13</sup>

The School District Supply of Undesignated Opioid Antagonists section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for opioid antagonists from a health care professional<sup>14</sup> who has been delegated prescriptive authority for opioid antagonists in accordance with Section 5-23 of the Alcoholism and

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

<sup>9</sup> Optional. If the board chooses to implement an undesignated opioid antagonist program, and the district employs law enforcement, consult the board attorney about whether this subhead becomes required. See Alcoholism and Other Drug Abuse and Dependency Act (20 ILCS 301/).

For boards that choose to implement an undesignated opioid antagonists program, consult the board attorney regarding the Safe and Drug-Free School and Communities Act of 1994 (20 U.S.C. §7101(b)). It prohibits funds provided under it to be used for medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to crimes or who illegally use drugs.

A school board must ensure that it does not adopt this section into the policy unless it is prepared to implement 105 ILCS 3/22-30(h-5), amended by P.A. 99-480. The law permits a district to maintain a supply of undesignated opioid antagonists in any secure location where a person is at risk of an opioid overdose and use them when necessary. The consequences of informing the community that the district will obtain a prescription for a supply of opioid antagonists and implement a plan for their use, and then not doing it may be fraught with legal liabilities.

The superintendent is given broad authority to implement this section; however, several preliminary steps should occur with the assistance of the board attorney. They include, but are not limited to: (1) investigating the feasibility of obtaining a prescription for a supply of opioid antagonists in the name of the district or one of its schools, and (2) outlining the advantages and disadvantages of implementing this plan based upon each district's individual resources and circumstances, and student population's needs.

<sup>10</sup> See the discussion regarding *trained personnel* in §7n 7, above.

<sup>11</sup> See §7n 8, above.

<sup>12</sup> Remove this section if the board does not adopt the undesignated epinephrine auto-injector or the undesignated opioid antagonist sections of the policy. If the board adopts one or the other, delete the appropriate paragraph in this section.

<sup>13</sup> Discuss with the board attorney whether the board should remove this sentence when the district reaches full implementation of this section.

<sup>14</sup> *Health care professional* means a physician licensed to practice medicine in all its branches, a licensed physician assistant, a licensed advanced practice nurse, or an advanced practice nurse who practices in a hospital or ambulatory surgical treatment center and possesses appropriate clinical privileges in accordance with the Nurse Practice Act (20 ILCS 301/5-23(d)(4), amended by P.A.s 99-173 and 99-480).

~~Other Drug Abuse and Dependency Act, or (2) fill the District's prescription for undesignated school-opioid antagonists.<sup>15</sup>~~

Upon any administration of an undesignated epinephrine auto-injector ~~or an opioid antagonist~~, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.<sup>16</sup>

Upon implementation of this policy, the protections from liability and hold harmless provisions as explained in Section 22-30(c) of the School Code apply.

No one, including without limitation parents/guardians of students, should rely on the District for the availability of an epinephrine auto-injector ~~and/or opioid antagonist~~. This policy does not guarantee the availability of an epinephrine auto-injector ~~and/or opioid antagonist~~; students and their parents/guardians should consult their own physician regarding such medication(s).

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, and 5/22-30.  
23 Ill.Admin.Code §1.540.

CROSS REF.: 7:285 (Food Allergy Management)

ADMIN. PROC.: 7:270-AP1 (Dispensing Medication), 7:270-AP2 (Checklist for District Supply of Undesignated Epinephrine Auto-Injectors and/or Opioid Antagonists), 7:270-E (School Medication Authorization Form)

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

<sup>15</sup> See fn 13, above.

<sup>16</sup> 105 ILCS 5/22-30, amended by P.A. 99-480 details specific required notifications, which are listed in 7:270-AP2, Checklist for District Supply of Undesignated Epinephrine Auto-Injectors and/or Opioid Antagonists.

Students

Restrictions on Publications: Elementary Schools 1

[For elementary or unit districts only]

School-Sponsored Publications and Web Sites

School-sponsored publications, productions, and web sites are part of the curriculum and are not a public forum for general student use. 2 School authorities may edit or delete material that is inconsistent with the District's educational mission.

All school-sponsored communications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The author's name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

Non-School Sponsored Publications Accessed or Distributed On-Campus 3

For purposes of this section and the following section, a publication includes, without limitation: (1) written or electronic print material, (2) audio-visual material on any medium including electromagnetic media (e.g., images, MP3 files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, CD-ROM, etc.) or online (e.g., any website, social networking site, database for information retrieval, etc.), or (3) information or material on electronic devices (e.g., data or voice messages delivered by cell phones, tablets, and other hand-held devices), 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 concerns an area in which the law is unsettled. It applies to elementary and unit districts with both elementary and high school students only. Unit districts should have this policy and policy 7-315, Restrictions on Publications: High Schools. The Speech Rights of Student Journalists Act, 103 ILCS 80/5, added by P.A. 99-678 applies to high school and unit districts.

2 School authorities may reasonably regulate student expression in school-sponsored publications for education-related reasons. Hazelwood School District v. Kuhlmeier, 108 S.Ct. 562 (1988). This policy allows such control by clearly stating that school-sponsored publications are not a "public forum" open for general student use but are, instead, part of the curriculum.

A school board that does not retain control of student publications can anticipate at least two problems: (1) how to keep content consistent with the district's mission, and (2) how to ensure that the Constitutional rights of third parties are not violated by student journalists. Concerning the second problem, a third party may seek to hold the district responsible for the student journalists' acts. See Yeo v. Town of Lexington, 131 F.3d 241 (1st Cir. 1997), cert. denied (1998).

3 Non-school sponsored publications, like underground newspapers, cannot be subject to the same degree of regulation by school authorities as school-sponsored publications. Absent a showing of material and substantial interference with the requirements of good discipline, students retain their First Amendment free speech rights. The federal circuits disagree on whether school authorities may require prior approval before a student is allowed to distribute non-school-sponsored publications. The Seventh Circuit, which covers Illinois, refused to approve prior approval regulations. Fujishima v. Board of Education, 460 F.2d 1355 (7th Cir., 1972), but see Baughman v. Eisenmuth, 478 F.2d 1345 (4th Cir., 1973). Non-school sponsored web sites should be regulated in the same manner as non-school sponsored publications.

A school policy prohibiting junior high students from distributing written material at school that is prepared by non-students was upheld in Hodges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

4 The definition of publication is optional and may be amended. This sample definition was broad and generally understood terms to keep the policy current with rapid technology changes.

Comments [XARI]: RENAMED This policy RENAMED to restrict it to elementary students in response to the Speech Rights of Student Journalists Act, 103 ILCS 80/5, added by P.A. 99-678, which applies to high school students only. We added a footnote to discuss that this policy applies to only elementary and unit districts and both elementary and high school districts.

Elementary districts subscribing to FINESS will be a title change only to this policy.

Unit districts subscribing to FINESS will now have two policies to address this topic.

- 1 This policy, which will apply to elementary students in the district; and
2 Policy 7-315, Restrictions on Publications, High Schools

This split is necessary because the Speech Rights of Student Journalists Act, 103 ILCS 80/5, added by P.A. 99-678 applies to only high school and unit districts (because unit districts include high school students). Because the new Act does not apply to elementary students, splitting the policies into two provides the least amount of disruption to elementary and unit districts. For more discussion, see policy 7-315, Restrictions on Publications, High Schools.

Creating, distributing, and/or accessing non-school sponsored publications shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the publication is endorsed by the School District.

Students are prohibited from creating, distributing and/or accessing at school any publication that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities; <sup>5</sup>
2. Violates the rights of others, including but not limited to material that is libelous, invades the privacy of others, or infringes on a copyright; <sup>6</sup>
3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by School Board policy and Student Handbooks; <sup>7</sup>
4. Is reasonably viewed as promoting illegal drug use; <sup>8</sup> or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students. <sup>9</sup>

Accessing or distributing *on-campus* includes accessing or distributing on school property or at school-related activities. A student engages in gross disobedience and misconduct and may be

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

<sup>5</sup> For example, a school district may discipline a student for writing an underground newspaper, and distributing it at school, that contained an article on how to hack into the school's computer. School authorities could reasonably believe the article would be disruptive. *Boncher v. School Board of the School District of Greenfield*, 134 F.3d 821 (7th Cir., 1998).

<sup>6</sup> School officials may not regulate student speech based upon their fear or apprehension of disturbance. Many decisions address the tension between students' right to free speech and restrictions of it on campus. See, for example:

*Bondt v. Board of Educ. of City of Chicago*, 480 F.3d 460 (7<sup>th</sup> Cir., 2007), *cert. denied* (2007) (school did not violate students' First Amendment rights when it disciplined students for wearing T-shirts with a "talentless infantile drawing" that school officials reasonably found to undermine the educational atmosphere).

*Nurrell v. Indian Prairie School Dist. #204*, 523 F.3d 668 (7<sup>th</sup> Cir., 2008) (holding that the student was likely to succeed on merits of his claim that the school would violate his speech rights by preventing him from wearing T-shirt with slogan "Be Happy, Not Gay").

*J.C. v. Beverly Hills Unified Sch. Dist.*, 593 F.3d 249 (3<sup>rd</sup> Cir. 2010) (discussed the "rights of others to be secure and let alone" argument from *Tinker*, but found that the school district violated a student's First Amendment rights for disciplining her when she posted a video clip on a website).

*R.H. v. Reston Area School District*, 725 F.3d 293 (3<sup>rd</sup> Cir 2013), *cert. denied* (2014) (school violated students' free speech rights by banning the wearing of cancer awareness bracelets containing the caption *I #boodles*).

<sup>7</sup> Be sure that the board's definitions for *sexting* in this policy aligned with other definitions used throughout the board's policy manual. For example, see the discussion within sample administrative procedure 7:190-AP5, *Student Handbooks-Electronic Devices*. There, *sexting* encompasses the term *indecent visual depiction* as defined by 705 ILCS405/3-40. It defines indecent visual depiction as a depiction or portrayal in any pose, posture, or setting involving a lewd exhibition of the buttocks, or if such person is a female, a fully or partially developed breast of the person. However, a district may create or have another definition of *sexting* that may or may not encompass the statutory term *indecent visual depiction*.

<sup>8</sup> *Morse v. Frederick*, 551 U.S. 393 (2007).

<sup>9</sup> Optional. The rationale for this section is that prior to high school, students have not developed sufficient experience and education in critical review of external resource materials. Accordingly, in order to accomplish the district's educational mission, yet allow students the opportunity to communicate with their fellow students, widespread student distribution of written material in elementary and middle school may be limited to material primarily prepared by the students themselves. *Hedeen v. Wauconda Community Unit School Dist. No. 118*, 9 F.3d 1293 (7th Cir. 1993); *Leal v. Everett Public Schools*, 2015 WL 728651 (W.D.Wash. 2015).

disciplined for: (1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school. <sup>10</sup>

#### Non-School Sponsored Publications Accessed or Distributed Off-Campus <sup>11</sup>

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing a publication that: (1) causes a substantial disruption or a foreseeable risk of a substantial disruption to school operations, or (2) interferes with the rights of other students or staff members.

#### Bullying and Cyberbullying <sup>12</sup>

The Superintendent or designee shall treat behavior that is *bullying* and/or *cyberbullying* according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

LEGAL REF.: 105 ILCS 5/27-23.7  
Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).  
Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).  
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 89 S.Ct. 733 (1969).

CROSS REF.: 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in School Provided by Non-School Related Entities)

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<sup>10</sup> For example, a school district may discipline a student for writing an underground newspaper, and distributing it at school, that contained an article on how to hack into the school's computer. School authorities could reasonably believe the article would be disruptive. Boucher v. School Board of the School District of Greenfield, 134 F.3d 821 (7th Cir., 1998).

<sup>11</sup> Optional. 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. Many decisions address the tension between public schools' authority to discipline students for off-campus speech and students' right to free speech. However, school officials may generally: (1) remove a student from extracurricular activities when the conduct calls 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, as provided in this policy (see also 7:190, *Student Discipline*). For example, see:

J.S. v. Blue Mountain Sch. Dist., combined with Lynchok v. Hermosa Sch. Dist., 650 F.3d 205 (3d Cir. 2011), *cert. denied* (2012) (schools may not punish students for their off-campus indecent and offensive parodies of their principals, absent a showing that the parodies caused, or could cause, substantial disruption in the schools).

Kowalski v. Berkeley Cmty. Sch., 652 F.3d 563 (4th Cir. 2011), *cert. denied* (2012) (upheld a student's suspension for off-campus posts to a social network site that defamed a classmate because it was foreseeable that the expression would reach the school and the student's conduct involved substantial disruption and interference with the work and discipline of the school).

The statutory definition of *bullying* includes *cyberbullying* (105 ILCS 5/27-23.7); these terms are defined in 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment* (see also *fn 6* and 7:190-AP6, *Guidelines for Investigating Susing Allegations*).

Consult the board attorney for guidance concerning off-campus speech. Every situation is fact specific and the issues require careful evaluation.

<sup>12</sup> 105 ILCS 5/27-23.7.

Comment: [KASB] Policy, Cross Reference, Footnote are updated. The Cross Reference are updated to reflect that IS 100 is now law.

The policy is updated upon IPEERS Advisory. See feedback. Consult the board attorney about this item. Please see its corresponding file 16.

## Community Relations

### Visitors to and Conduct on School Property 1

The following definitions apply to this policy:

**School property** - District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a School Board meeting, school athletic event, or other school-sponsored event.

**Visitor** - Any person other than an enrolled student or District employee.

All visitors to school property are required to report to the Building Principal's office and receive permission to remain on school property. All visitors must sign a visitors' log, show identification, and wear a visitor's badge. When leaving the school, visitors must return their badge. On those occasions when large groups of parents and friends are invited onto school property, visitors are not required to sign in but must follow school officials' instructions. Persons on school property without permission will be directed to leave and may be subject to criminal prosecution. 2

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member by telephone or email to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher's conference/preparation period.

Requests to access a school building, facility, and/or educational program, or to interview personnel or a student for purposes of assessing the student's special education needs, should be made at the appropriate building. Access shall be facilitated according to guidelines from the Superintendent or designee. 3

*be run through our Visitor Management system authorizing their visit to*

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. Boards may make and enforce reasonable rules of conduct and sportsmanship for school events and deny future admission to school events to violators for up to one year provided a notice and hearing are given (105 ILCS 5/24-24). 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 This paragraph is up to the local board's discretion. Many public school buildings were built before school security was the concern it is now. A first step in creating a secure environment is to manage access to school buildings. Along with limiting the entrances that may be used, school officials should post signs with instructions for visitors and a warning to trespassers. Signs may be as simple as "Visitors Must Report to Office" and "No Trespassing - Violators will be Prosecuted." Applicable criminal trespass laws include: 720 ILCS 5/21-1 (criminal damage to property); 5/21-1.2 (institutional vandalism); 5/21-3 (criminal trespass to real property); 5/21-5 (criminal trespass to State supported land); 5/21-5.5 (criminal trespass to a safe school zone); 5/21-9 (criminal trespass to a place of public amusement); 5/21-11 (distributing or delivering written or printed solicitation on school property). This sample policy identifies board members as visitors.

The following optional provisions must be modified according to local conditions:

Option 1: The Superintendent or designee may post certain school facilities for the community's use on non-school days when they are not being used for school purposes.

Option 2: The Superintendent or designee shall manage a program to allow community use of the following facilities on non-school days, during the daylight, provided they are not being used for school purposes: tennis courts, playground, and track.

3 105 ILCS 5/14-8.02(g-5). See administrative procedure 6:120-AP2, Access to Classrooms and Personnel, and exhibit 6:120-AP2, B1, Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes.



The School District expects mutual respect, civility, and orderly conduct among all people on school property or at a school event. No person on school property or at a school event (including visitors, students, and employees) shall perform any of the following acts:

1. Strike, injure, threaten, harass, or intimidate a staff member, a Board member, sports official or coach, or any other person. <sup>4</sup>
2. Behave in an unsportsmanlike manner, or use vulgar or obscene language.
3. Unless specifically permitted by State law, possess a weapon, any object that can reasonably be considered a weapon or looks like a weapon, or any dangerous device. <sup>5</sup>
4. Damage or threaten to damage another's property. <sup>6</sup>
5. Damage or deface school property. <sup>7</sup>
6. Violate any Illinois law,<sup>8</sup> or town or county ordinance.
7. Smoke or otherwise use tobacco products. <sup>9</sup>
8. Distribute, consume, use, possess, or be under the influence of an alcoholic beverage or illegal drug; be present when the person's alcohol or illegal drug consumption is detectible, regardless of when and/or where the use occurred. <sup>10</sup>
9. Use or possess medical cannabis. <sup>11</sup>

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

<sup>4</sup> See e.g., 720 ILCS 5/12-2 (aggravated assault); 5/12-3.05(c) and (d)(3) (crimes on school property; aggravated battery (assaulting a sports official or coach or school employee)); 5/12-9 (threats to public officials); 5/24-1.2 (discharge of a firearm near school employees).

<sup>5</sup> With one exception, a license to carry a firearm does not permit an individual to carry a concealed firearm on or into any building, real property, and or parking area under the control of an elementary or secondary school, or any bus paid for in whole or part with public funds (430 ILCS 66/65(a), added by P.A. 98-630 and amended by P.A. 99-29). The following optional provision adds that exception, which is a restatement of 430 ILCS 66/65(b), added by P.A. 98-630 and amended by P.A. 99-29, to the text in number 3:

An individual licensed to carry a concealed firearm under the Illinois Firearm Concealed Carry Act is permitted to: (a) carry a concealed firearm within a vehicle into a parking area controlled by a school or the District and may store a firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area, and/or (b) carry a concealed firearm in the immediate area surrounding his or her vehicle in a parking area controlled by a school or the District for the limited purpose of storing or retrieving a firearm within the vehicle's trunk.

Other relevant weapons laws include 705 ILCS 405/5-407, 720 ILCS 5/24-9; 725 ILCS 5/110-4, 5/110-10 (firearms in schools); 720 ILCS 5/24-1.2, 5/24-3 (discharge of firearm near school); 705 ILCS 405/5-130, 405/5-805 (minor 15 years or older who commits aggravated battery with a firearm at school is tried as an adult).

<sup>6</sup> See e.g., 720 ILCS 5/2-19.5, 5/16-1, 5/18-1, 5/19-1, 21-1, and 5/21-1.3 (property damage penalties).

<sup>7</sup> See e.g., 720 ILCS 5/21-1.01, 21-1.3.

<sup>8</sup> See e.g., 720 ILCS 5/11-9.3 (presence within school zone by child sex offenders prohibited), 5/11-14 (prostitution), 5/11-15 (c. peack), and 5/11-18 (parading a prostitute); 720 ILCS 5/21-11 (soliciting students to commit illegal act).

<sup>9</sup> Required by 105 ILCS 5/10-20.5b and 410 ILCS 82/1 et seq. Federal law prohibits smoking inside schools (20 U.S.C. §6081); districts failing to comply with the federal no-smoking ban risk a civil penalty of up to \$1000 per violation per day.

<sup>10</sup> See e.g., 720 ILCS 5/70/407 (delivery of controlled substances on or within 1000 feet of a school). See also the discussion in ¶n 2 of policy 5:30, *Drug- and Alcohol-Free Workplace; Tobacco Prohibition*; this statement must be consistent with employee working conditions.

<sup>11</sup> 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 (Medical Cannabis Act) (410 ILCS 130/, added by P.A. 98-122 (eff. 1-1-14). There are many situations in which no one, even a *registered qualifying patient*, may possess or use cannabis, including (a) in a school bus, (b) on the grounds of any preschool or primary or secondary school, or (c) in close physical proximity to anyone under the age of 18 years of age (410 ILCS 130/30(a)(2), (3), & (4), added by P.A. 98-122 (eff. 1-1-14).

10. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner). <sup>12</sup>
11. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board.
12. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized District employee's directive. <sup>13</sup>
13. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding. <sup>14</sup>
14. Violate other District policies or regulations, or a directive from an authorized security officer or District employee.
15. Engage in any conduct that interferes with, disrupts, or adversely affects the District or a School function.

#### Convicted Child Sex Offender <sup>15</sup>

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 is:

1. 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 at the school 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. Has permission to be present from the 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.

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<sup>12</sup> See e.g., 730 ILCS 5/21.2-1 *et seq.* (interference with a public institution of education).

<sup>13</sup> See e.g., 625 ILCS 5/11-605, amended by P.A. 99-212, eff. 1/1/16, special speed limit zones. 625 ILCS 5/12-610.1(e), prohibits wireless telephone use while operating a motor vehicle on a roadway in a school speed zone except for emergency purposes.

<sup>14</sup> The pivotal question in a negligence case is whether the defendant acted reasonably. A ban on roller-blading demonstrates that the district took reasonable steps to reduce the risk of injury.

<sup>15</sup> 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 who is a certified employee, to supervise a child sex offender whenever the offender is in a child's vicinity. See also the Sex Offender Community Notification Law (730 ILCS 152/101 *et seq.*); Child Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105); policy 4:170, *Safety*; and administrative procedure 4:175-AP1, *Criminal Offender Notification Laws: Screening*.

### Exclusive Bargaining Representative Agent <sup>16</sup>

Authorized agents of an exclusive bargaining representative, upon notifying the Building Principal's office, may meet with a school employee (or group of employees) in the school building during duty-free times of such employees.

### Enforcement

Any staff member may request identification from any person on school property; refusal to provide such information is a criminal act. <sup>17</sup> The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

Any person who engages in conduct prohibited by this policy may be ejected from school property. The person is also subject to being denied admission to school events or meetings for up to one calendar year. <sup>18</sup>

### Procedures to Deny Future Admission to School Events or Meetings

Before any person may be denied admission to school events or meetings as provided in this policy, the person has a right to a hearing before the Board. The Superintendent may refuse the person admission pending such hearing. The Superintendent or designee must provide the person with a hearing notice, delivered or sent by certified mail with return receipt requested, at least ~~10-120~~ days before the Board hearing date. The hearing notice must contain: <sup>19</sup>

1. The date, time, and place of the Board hearing;
2. A description of the prohibited conduct;
3. The proposed time period that admission to school events will be denied; and
4. Instructions on how to waive a hearing. <sup>20</sup>

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<sup>16</sup> 105 ILCS 5/24-25. Omit this section if it is covered in a collective bargaining agreement. *Duty-free time is used to provide a district with discretion about whether preparation time, etc. may be used.*

*Consult the board attorney about this subhead. It is an item on which collective bargaining may be required. Any policy that impacts wages, hours, or terms and conditions of employment is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. Amend the language to reflect what is recommended by the board attorney.*

<sup>17</sup> 105 ILCS ~~5/24-24~~ and 5/24-25.

<sup>18</sup> See *Nuding v. Cerro Gordo Community Unit School Dist.*, 730 N.E.2d 96 (Ill.App.4, 2000) (board was authorized to ban parent from attending all school events and extracurricular activities by 105 ILCS 5/24-24; the ban was based on the parent's exposing a toy gun and a pocketknife at a board meeting); *Jordan ex rel. Edwards v. O'Reilly Tp. High School Dist.*, 706 N.E.2d 137 (Ill.App.5, 1999) (105 ILCS 5/24-24 did not give a high school athlete the right, under the due process clause, to a notice and hearing before he could be suspended from participating in interscholastic athletics; the statute expands the schools' authority to ban people from attending school events for breaching conduct and sportsmanship code).

<sup>19</sup> *Id.* If a violator is a student, the hearing should be held in a closed meeting (5 ILCS 120/2). If, however, the violator is not a student, the hearing must be held in an open session.

<sup>20</sup> The hearing requirement is for the violator's benefit and, consequently, the violator should be able to waive it.

**LEGAL REF.:** Nuding v. Cerro Gordo Community Unit School Dist., 730 N.E.2d 96 (Ill.App.4, 2000).  
Pro-Children Act of 1994, 20 U.S.C. §7181 *et seq.*  
105 ILCS 5/10-20.5b, 5/24-24, and 5/24-25.  
410 ILCS 130, Compassionate Use of Medical Cannabis Pilot Program.  
430 ILCS 66/, Firearm Concealed Carry Act.  
720 ILCS 5/11-9.3.

**CROSS REF.:** 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; Tobacco Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Discipline/Behavior), 8:20 (Community Use of School Facilities)

## Community Relations

### Accommodating Individuals with Disabilities <sup>1</sup>

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities and will not be subject to illegal discrimination.<sup>2</sup> When appropriate, the District may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others.<sup>3</sup>

The District will provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.<sup>4</sup>

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.<sup>5</sup>

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

<sup>1</sup> State or federal law controls this policy's content.

<sup>2</sup> The Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. §§12101 *et seq.* The ADA covers all state and local governments, including those that receive no federal financial assistance. Title II of the ADA specifically contains accessibility requirements (42 U.S.C. §§12131 *et seq.*). Its nondiscrimination provision states: "[s]ubject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. §12132.

The Department of Justice, through its Civil Rights Division, is the key agency responsible for enforcing Title II. The regulations implementing Title II are found at 28 C.F.R. Part 35. For a comprehensive compliance toolkit, see: [www.ada.gov/portal.cfm?open=1&coll=2&item](http://www.ada.gov/portal.cfm?open=1&coll=2&item). This policy contains only the basic elements of the ADA's requirements.

The ADA Amendments Act (ADAAA) significantly changed the ADA's definition of disability (42 U.S.C. §12102). It did not, however, amend any provision in Title II regarding accessibility requirements. Consult the board attorney regarding the ADAAA's impact, if any, on the district's Title II accessibility obligations.

The Ill. Environmental Barriers Act (410 ILCS 25/) and the Ill. Accessibility Code (71 Ill.Admin.Code Part 400) ensure that "all applicable buildings and facilities in the State of Illinois, are designed, constructed, and/or altered to assure the safety and welfare of all members of society and to be readily accessible to, and useable by, environmentally limited persons," (71 Ill.Admin.Code §400.110). *Note: The Ill. Environmental Barriers Act, as amended by P.A. 99-582, eff. 1-1-17, deleted the term "environmentally limited person" which until then had been defined in 410 ILCS 25/3 as "a person with a disability or condition who is restricted in the use of the built environment."* Press boxes that "are in bleachers that have points of entry at only one level, and the aggregate area of the press box is no more than 500 square feet" do not have to comply with the Accessibility Code (105 ILCS 5/10-20, §146, amended by P.A. 97-356). The Ill. High School Assoc. refers to a *press box* as a "space ... set aside to provide for news media representatives covering the [event], whether they be from newspapers, radio stations, commercial television stations and/or cable television stations."

<sup>3</sup> 28 C.F.R. §35.130(b). If separate services or programs are provided, a district may not deny the individual an opportunity to participate in the regular programming unless the accommodation would alter the fundamental nature of the program (28 C.F.R. §35.130(b)).

<sup>4</sup> Districts must provide auxiliary aids and services to ensure that no disabled individual is excluded or treated differently than other individuals, unless the district can show that taking such steps would fundamentally alter the nature of the function, program, or meeting or would be an undue burden (28 C.F.R. §§35.160 and 35.164). The term "auxiliary aids and services" includes qualified interpreters, assistive listening devices, note takers, and written materials for individuals with hearing impairments; for individuals with vision impairments, the term includes qualified readers, taped texts, and Brailled or large print materials (28 C.F.R. §35.104).

<sup>5</sup> This requirement applies to construction commenced after January 26, 1992 (28 C.F.R. §35.151). Compliance methods include: equipment redesign, reassignment of services to accessible buildings, assignment of aids to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities (a district is not required to make structural changes in existing facilities where other methods are effective in achieving compliance), and use of accessible rolling stock or other conveyances (28 C.F.R. §35.150).

**Comment [KAK]: Policy, Legal Reference and Footnotes are updated as follows**

**1 An outdated responsibility of the Title II Coordinator is amended.**

**2 A footnote is supplemented to reflect the Environmental Barriers Act by P.A. 99-582, eff. 1-1-17**

**3 Other legal citations in the footnotes are amended**

The Superintendent or designee is designated the Title II Coordinator and shall:<sup>6</sup>

1. Oversee the District's compliance efforts, recommend necessary modifications to the School Board, and maintain the District's final Title II self-evaluation document, update it to the extent necessary, and keep it available for public inspection for at least 3 years after its completion date.<sup>7</sup>
2. Institute plans to make information regarding Title II's protection available to any interested party.<sup>8</sup>

Individuals with disabilities should notify the Superintendent or Building Principal if they have a disability that will require special assistance or services and, if so, what services are required.<sup>9</sup> This notification should occur as far in advance as possible of the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent or designated Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.<sup>10</sup>

**LEGAL REF.:** Americans with Disabilities Act, 42 U.S.C. §§12101 et seq. and 12131 et seq.; 28 C.F.R. Part 35.  
Rehabilitation Act of 1973 §104, 29 U.S.C. §794 (2006).  
105 ILCS 5/10-20.4651.  
410 ILCS 25/, Environmental Barriers Act.  
71 Ill.Admin.Code Part 400, Illinois Accessibility Code.

**CROSS REF.:** 2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Expansion Programs)

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

<sup>6</sup> Each district having 50 or more full or part-time employees must designate at least one employee to coordinate its efforts to comply with Title II, including complaint investigations (28 C.F.R. §35.187).

<sup>7</sup> A written evaluation of district services, policies, and practices should have been completed by January 26, 1993. Interested people should have been allowed to submit comments during the evaluation process. The final self-evaluation document must be kept for at least ~~three~~ years, be available for public inspection, and include a list of individuals and organizations consulted, a description of areas examined and any problems identified, and a description of any modifications. The record retention requirement applies to only those districts having 50 or more full or part-time employees. While January 26, 1993, has passed, this information is kept in the policy as it is an affirmative obligation.

<sup>8</sup> Each district must make information regarding the ADA's protection available to any interested party (28 C.F.R. §35.106). For example, a simple notice can be included in school newspapers, program or performance announcements, and registration material.

<sup>9</sup> The superintendent decides the appropriate response on a case-by-case basis.

<sup>10</sup> Adoption of the Uniform Grievance Procedure fulfills the ADA's requirement that each district having 50 or more employees adopt and publish a grievance procedure providing for prompt and equitable resolution of any complaint.

Comment [KAMI]: Policy is unchanged. A footnote is added in response to 105 ILCS 5/10-22.13a, amended by P.A. 99-890

## Community Relations

### Relations with Other Organizations and Agencies

The District shall cooperate with other organizations and agencies, including but not limited to:

- County Health Department
- Law enforcement agencies
- Fire authorities
- Planning authorities
- Zoning authorities <sup>1)</sup>
- Illinois Emergency Management Agency (IEMA), local organizations for civil defense, and other appropriate disaster relief organizations concerned with civil defense <sup>2)</sup>
- Other school districts

Comment [KAMI]: A footnote is added to cite the amendments to the School Code born from *Gruber v. Ch. "The Members Case"*

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and Police Interviews)

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

<sup>1</sup> 105 ILCS 5/10-22.13a, amended by P.A. 99-890 and *Oruba v. Community High School District 155*, 2016 IL 118223 (9-24-2016) N.R.3d 1. (Ill., 2015) holding school districts are subject to, and school boards must comply with, local government zoning and storm water restrictions, i.e., a city's zoning powers). See also 55 ILCS 5/5-12021, added by P.A. 99-890; 60 ILCS 1/110-70, amended by P.A. 99-890; and 65 ILCS 5/11-13-27, added by P.A. 99-890 (outlining specific zoning provisions related to public schools, including requirements for counties, townships, and municipalities to refrain from regulating educational activities and make reasonable efforts to streamline zoning application and review process for public school districts, along with reducing fees and costs).

<sup>2</sup> 105 ILCS 5/10-22.35.

## School Board

### Board Member Conflict of Interest

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.

However, even when permitted by State law, a School Board member is strongly encouraged to recuse him- or her-self from discussions, deliberation and voting on any item(s) to which the School Board member has a personal or family connection in order to avoid the appearance of impropriety.

Board members must annually file a "*Statement of Economic Interests*" as required by the Illinois Governmental Ethics Act. 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.

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)

ADOPTED: October 27, 1997

REVISED: June 28, 1999

REVISED: December 13, 1999

REVISED: May 27, 2003, August 17, 2004, December 14, 2009, November 15, 2010, June 11, 2012, August 25, 2014, March 21, 2016, TBD





Consent Agenda

ACTION ITEM 17-02-7

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda of February 21, 2017 which includes the Personnel Report; Bills, Payroll and Benefits; Approval of Financial Update for the Period Ending January 31, 2017; Approval of Intergovernmental Agreement for Shared Assistive Technology Services; Approval of Intergovernmental Agreement for Shared Vision/O&M Services; Approval of Policies 2:80, 2:81, 2:110, 2:140, 2:230; Review of Closed Session Minutes for Release and Destruction of Audio Closed Minutes (none).

The votes were cast as follows:

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

AYES:

NAYS:

PRESENT:

ABSENT:

2/21/17

|                    |  |
|--------------------|--|
| Toni Mihalopoulos  | Employ as (.50) Part time Early Childhood teacher at Jefferson School effective January 30, 2017 - (working 83 days) Lane MA, Step 1 - \$56,717.00. Prorated working 83 Days at (.50) = \$12,772.75. |
| Meghan Keefer      | Leave of Absence Request, Maternity/FMLA LA/Social Studies Curriculum Specialist Teacher at Roosevelt School effective April 8, 2017 –June 2, 2017 (tentative).                                      |
| Dru Sullivan       | Grant Leave of Absence Extension Modified, Medical/Temporary Incapacity – District Elementary Teacher effective February 21, 2017 – March 13, 2017 (tentative).                                      |
| Margaret Szajowska | Grant Leave of Absence Extension Modified, Medical/Temporary Incapacity - Assistant at Roosevelt School effective February 21, 2017 – March 13, 2017 (tentative).                                    |
| Dan Evola          | Resign as Night Custodian at Roosevelt School effective March 6, 2017.   |
| Heidi Majerczak    | Resign as (.50) Assistant at Roosevelt School effective December 22, 2016.   |
| Julia Simone       | Resign as 10-month, Level IV Office Secretary at Roosevelt School effective no later than April 10, 2017.  |

APPROVAL OF BILLS AND PAYROLL

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

Bills

|  |               |
|--|---------------|
| 10 - Education Fund -----                  | \$ 902,666.96 |
| 20 - Operations and Maintenance Fund ----- | \$ 221,831.38 |
| 30 - Debt Services -----                   | \$ 7,187.48   |
| 40 - Transportation Fund -----             | \$ 243,359.01 |
| 50- Retirement (IMRF/SS/MEDICARE)-----     | \$ -          |
| 60 - Capital Projects -----                | \$ 234,507.47 |
| 80 - Tort Immunity Fund -----              | \$ 1,076.73   |
| 90 - Fire Prevention and Safety Fund ----- | \$ -          |

Checks Numbered: 126646 - 126819

Total: \$ 1,610,629.03

Payroll and Benefits for Month of January, 2017

|  |                 |
|--|-----------------|
| 10 - Education Fund -----                  | \$ 4,116,892.79 |
| 20 - Operations and Maintenance Fund ----- | \$ 243,069.98   |
| 40 - Transportation Fund -----             | \$ 979.10       |
| 50 - IMRF/FICA Fund -----                  | \$ 80,879.28    |
| 51 - SS/Medicare -----                     | \$ 92,869.63    |
| 80 - Tort Immunity Fund -----              | \$ -            |

Checks Numbered: 12961 - 13022

Direct Deposit: 900108757 - 900110396

Total: \$ 4,534,690.78

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

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

To: Board of Education  
Dr. Laurie Heinz, Superintendent

From: Brian Imhoff, Assistant Chief School Business Official

Date: February 21, 2017

Subject: Financial Update for the Period Ending January 31, 2017

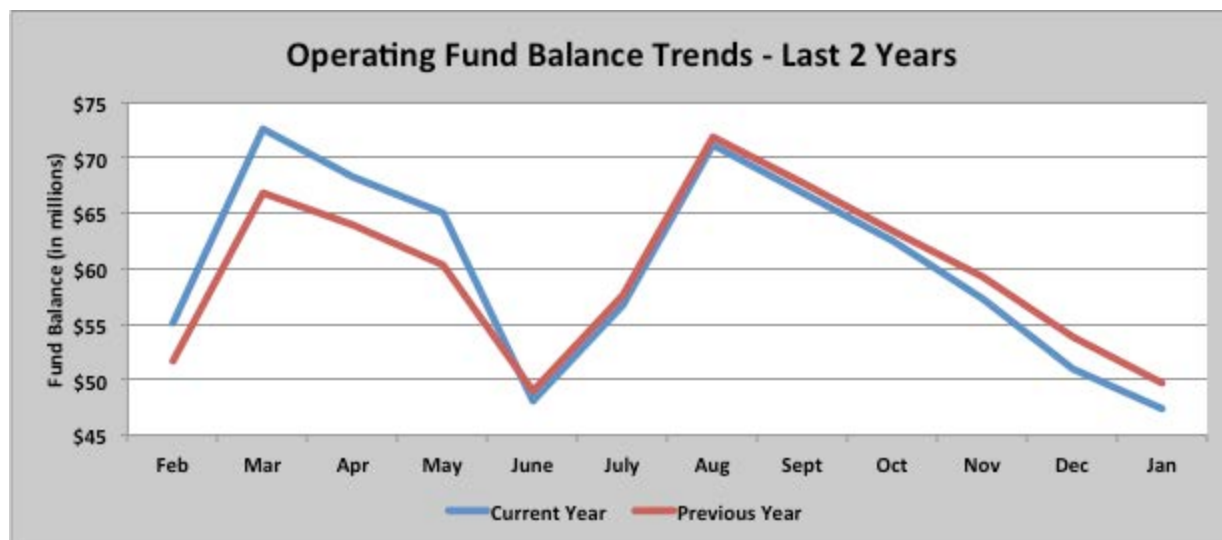
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Attached for your review:

- Fund Balance Report as of January 31, 2017
- Revenue Summary Report as of January 31, 2017
- Expenditure Summary Report as of January 31, 2017
- Other Financing Sources/Uses Summary Report as of January 31, 2017

Fund balance in the Operating Funds declined \$3.6 million in January. The graph below shows that fund balance in the past year has followed nearly the same trend as the preceding 12-month period. The primary exception is the decrease between May and June 2016 (blue line), which resulted from the Working Cash Fund transferring out \$4.5 million to fund capital projects.

The spikes in fund balance correspond to the months when the District receives the majority of its property tax revenues. Adequate fund balance reserves are very important for school districts during the fall and winter months, and District 64 has positioned itself accordingly with a fund balance of \$47.4 million in the Operating Funds on January 31, 2017.



### Revenue Summary

The District received the second of two annual TIF payments from the City of Park Ridge during the month. Some delinquent fall property taxes were also received bringing the

District's collection rate of the 2015 tax levy extension to 98.6%. Revenue from the 2016 tax levy should start arriving in mid-February.

As noted in last month's report, the State of Illinois remitted the final 2015-16 quarterly categorical payments for special education and transportation in January 2017. The payments totaled \$456,000 in revenue for District 64. However, the State Comptroller has not processed any payments for 2016-17 yet. There is concern that these payments may not be made until a State budget has been approved. District 64 is currently owed over \$1.5 million, so only 38% of the District's budget for State revenue has been received to date.

### **Expenditure Summary**

Expenditures are currently tracking as projected in the budget with no major anomalies. After seven months of activity (or 58% of the fiscal year), the District has expended 52% of its overall budget. It is customary for spending to run behind the budget pace at this point because teachers and teacher aides start getting paid in late August resulting in a larger percentage of payroll expenditures in the second half of the year.

If you have any questions about the Financial Report, please contact Dr. Heinz or myself.

**Park Ridge - Niles School District 64**  
**Fund Balance Report for the Period Ending January 31, 2017**

| Fund                             | Audited Fund<br>Balance<br>June 30, 2016 | 2016-17<br>FYTD Revenues | 2016-17<br>FYTD<br>Expenditures | Excess /<br>(Deficiency) of<br>Revenues Over<br>Expenditures | Other<br>Financing<br>Sources/Uses | Unaudited Fund<br>Balance<br>January 31, 2017 |
|----------------------------------|--|--------------------------|---------------------------------|--|------------------------------------|---|
| Education                        | \$27,557,327                             | \$27,992,643             | \$29,225,282                    | (\$1,232,639)  | \$0                                | \$26,324,688                                  |
| Tort Immunity                    | 988,020                                  | 335,938                  | 649,709                         | -313,771   | 0                                  | \$674,249                                     |
| Operations & Maintenance         | 6,755,172                                | 3,678,051                | 2,912,385                       | 765,666  | 0                                  | \$7,520,838                                   |
| Transportation                   | 2,210,267                                | 1,231,424                | 1,539,527                       | -308,103   | 0                                  | \$1,902,164                                   |
| Retirement (IMRF)                | 695,453                                  | 704,450                  | 564,517                         | 139,933  | 0                                  | \$835,386                                     |
| Retirement (Social Security)     | 140,654                                  | 500,705                  | 589,942                         | -89,237  | 0                                  | \$51,417                                      |
| Working Cash                     | 9,764,873                                | 299,319                  | 0                               | 299,319  | 0                                  | \$10,064,192                                  |
| <b>Total Operating Funds</b>     | <b>\$48,111,766</b>                      | <b>\$34,742,530</b>      | <b>\$35,481,362</b>             | <b>(\$738,832)</b>   | <b>\$0</b>                         | <b>\$47,372,934</b>                           |
| Capital Projects                 | 5,399,314                                | 24,265                   | 4,278,894                       | -4,254,629   | 0                                  | \$1,144,685                                   |
| Debt Service                     | 3,989,615                                | 1,539,399                | 3,259,990                       | -1,720,591   | 0                                  | \$2,269,024                                   |
| <b>Total Non-Operating Funds</b> | <b>\$9,388,929</b>                       | <b>\$1,563,664</b>       | <b>\$7,538,884</b>              | <b>(\$5,975,220)</b>   | <b>\$0</b>                         | <b>\$3,413,709</b>                            |
| <b>Total All Funds</b>           | <b>\$57,500,695</b>                      | <b>\$36,306,194</b>      | <b>\$43,020,246</b>             | <b>(\$6,714,052)</b>   | <b>\$0</b>                         | <b>\$50,786,643</b>                           |



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

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

**INTERGOVERNMENTAL AGREEMENT  
FOR SHARED ASSISTIVE TECHNOLOGY SERVICES**

**THIS AGREEMENT** is made by and among the Boards of Education of Des Plaines Community Consolidated School District 62 (“School District 62”) and Park Ridge-Niles Community Consolidated School District 64 (“School District 64”).

**WHEREAS**, the Illinois Constitution and statutes, including without limitation the *Intergovernmental Cooperation Act of the State of Illinois*, 5 ILCS 220/1 *et. seq.*, encourage and permit cooperation between units of local government; and

**WHEREAS**, the parties desire to cooperate and combine their resources to serve students who require Assistive Technology (AT) services; and

**WHEREAS**, the parties believe that their special education programs and services will be most effectively operated through this shared services Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements hereafter set forth, it is agreed as follows:

1. **Term of Agreement.** This Agreement shall begin at the start of the 2017-2018 school year, excluding extended school year periods. This Agreement will remain in effect on a year-to-year basis only by agreement of the parties.
2. **Employment and Shared Services of the AT Facilitator.** School District 62 agrees to employ a qualified AT Facilitator on a full-time basis who shall be considered an employee of School District 62 and shall not become or be deemed to be an employee of School District 64. School District 62 will supervise and evaluate the AT Facilitator as required by law. The AT Facilitator will serve School District 64 students on a 0.5 FTE (full time equivalent) basis. The AT Facilitator will be responsible for conducting screenings, evaluations and participating in IEP meetings and other school meetings in the normal course. Services will be scheduled and provided to students on days/times mutually agreed by each School District. If the AT Facilitator is not available at the scheduled time (*e.g.*, due to illness, etc.), the parties will mutually agree on make-up dates, in the normal course.
3. **Fees.** School District 62 will bill School District 64 for costs associated with the AT Facilitator based on 0.5 FTE. Costs shall include salary, benefits, secretarial support, expenses associated with supplies/materials/assessments/etc., and expenses associated with training. School District 62 will prepare and provide a preliminary budget to School District 64 on or before August 1 prior to each school year estimating these costs. In the event that School District 64’s FTE need decreases, the parties understand that they have committed to the FTE listed herein for the duration of the school year.
4. **Billing Procedures and Payment.** School District 62 shall send invoices to School District 64 on an annual basis, or other timeline per mutual agreement. School District 64 agrees to pay all amounts due within forty-five (45) days of receiving the invoices.

School District 64 will directly reimburse the AT Facilitator for mileage incurred related to the provision of services to School District 64 students on forms provided for this purpose. School District 62 shall be responsible for seeking reimbursement from any third party payers, if any, (such as the Illinois State Board of Education or health insurance carriers) for services rendered by the AT Facilitator. To the extent that reimbursement is received from School District 62 relating to the AT Facilitator, School District 64 shall receive a credit against any outstanding balance due.

5. **Qualification of AT Facilitator.** The AT Facilitator shall meet all State requirements to provide such services in a public school setting, including but not limited to certification or licensure (if applicable), fitness for service/medical examination, criminal background check, and continuing education, and shall comply with all applicable laws, rules and regulations required in performing such services.
6. **Student Records.** The AT Facilitator shall maintain records and reports in the normal course, including progress reports and other documents as may be required by the Director of Special Education or his/her designee of the School District that the student in question is a resident of. All such records, including information and notes prepared or provided by the AT Facilitator shall be the property of, and shall be maintained by, each individual School District for their own students. The AT Facilitator shall have access to those students' records and information to the extent necessary to appropriately provide services to said students. The AT Facilitator will abide by all confidentiality requirements of the Illinois School Student Records Act (ISSRA), the Family Education Rights and Privacy Act (FERPA), and all other applicable laws and regulations.
7. **Equipment and Supplies.** Equipment and other inventory used by the AT Facilitator will generally be housed at and maintained by School District 62, unless otherwise agreed by the parties. Purchase of materials/supplies for specific students (*e.g.*, as determined by the IEP team) will be purchased directly by the home district of the student. General supplies needed to support the AT Facilitator on a day-to-day basis will be billed proportionally pursuant to paragraph 3.
8. **Amendments.** This Agreement may be modified or amended only by a written agreement executed by the parties.
9. **Insurance.** Each party shall maintain, all on an occurrence basis, general liability insurance and excess or umbrella liability insurance in reasonable amounts during the term of this Agreement or any extension hereof. School District 62 shall also maintain workers compensation insurance in at least the statutory minimum amount and employer's liability insurance in a reasonable amount.
10. **Applicable Law and Compliance with Laws.** This Agreement shall be construed in accordance with the laws of the State of Illinois. Further, each party hereto shall comply with all applicable laws, rules and regulations with regard the provision of the services hereunder, including, but not limited to human rights and anti-discrimination laws.

- 13. **Complete Understanding.** This Agreement sets forth all of the promises, agreements, conditions and understandings between the parties relative to the subject matter hereof, and there are not promises, agreements, or undertakings, either oral or written, express or implied, between them other than as herein set forth.
- 14. **Third Party Beneficiaries.** This Agreement is by and among the signatories hereto only and is neither intended to nor does it grant any rights to any third parties. No third party may rely upon the terms and conditions of this Agreement.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed as of the date below. In the event the dates differ, the latter shall be the effective date of this Agreement.

**BOARD OF EDUCATION  
DES PLAINES COMMUNITY CONSOLIDATED SCHOOL DISTRICT 62,**

\_\_\_\_\_  
 President Date

Attest: \_\_\_\_\_  
 Secretary Date

**BOARD OF EDUCATION  
PARK RIDGE-NILES SCHOOL DISTRICT 64,**

\_\_\_\_\_  
 President Date

Attest: \_\_\_\_\_  
 Secretary Date

**INTERGOVERNMENTAL AGREEMENT  
FOR SHARED VISION/O&M SERVICES**

**THIS AGREEMENT** is made by and between the Boards of Education of Des Plaines Community Consolidated School District 62 (School District 62), Park Ridge-Niles Community Consolidated School District 64 (School District 64), and Maine Township High School District 207 (High School District 207). The parties will be collectively referred to herein as “School Districts” and/or “Boards of Education.”

**WHEREAS**, the Illinois Constitution and statutes, including without limitation the *Intergovernmental Cooperation Act of the State of Illinois*, 5 ILCS 220/1 *et. seq.*, encourage and permit cooperation between units of local government;

**WHEREAS**, the Boards of Education desire to cooperate and combine their resources to serve students who require vision therapy and orientation and mobility (O&M) services; and

**WHEREAS**, the Boards of Education believe their special education programs and services will be most effectively operated through this shared services Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements hereafter set forth, it is agreed as follows:

1. **Term of Agreement.** This Agreement shall be effective during the 2017-2018 school year, excluding extended school year periods. The term of this Agreement may be renewed or extended by written agreement signed by the parties.
2. **Employment of Vision/O&M Therapists.** School District 62 agrees to employ qualified vision itinerants (“Therapists”) (three FTE total) to meet the vision/O&M needs of students enrolled in School District 62, School District 64 and High School District 207. School District 62 will supervise and evaluate the Therapists as required by law. In addition to the provision of services, the Therapists will also be responsible for conducting evaluations and participating in IEP meetings and other school meetings. Services will be scheduled and provided to students on days/times mutually agreed by each School District. If a Therapist is not available at the scheduled time (*e.g.*, due to illness, etc.), the School Districts will mutually agree on make-up therapy dates, in the normal course.
3. **Fees.** School District 62 will bill School District 64 and High School District 207 for FTE (including salary and benefits) as determined by student caseloads, as follows:
  - a. School District 64: 0.3 FTE
  - b. High School District 207: 1.7 FTE
4. **Billing Procedures and Payment.** School District 62 shall send semi-annual invoices to School District 64 and High School District 207 for services rendered in accordance with the rate set forth in this Agreement. The first invoice will be issued approximating 80% of the anticipated annual cost. School District 62 shall be responsible for seeking reimbursement from any third party payers (such as the Illinois State Board of Education

or health insurance carriers) for services rendered by the Therapists. School District 64 and High School District 207 shall pay School District 62 all amounts due within thirty (30) days of receiving the invoices. School District 64 and High School District 207 will directly reimburse the Therapists for mileage incurred related to the provision of services to students in their respective districts on forms provided for this purpose.

5. **Qualification of Therapists.** Each Therapist who provides services under this Agreement shall meet all State requirements to provide such services in a public school setting, including but not limited to certification or licensure (if applicable), fitness for service/medical examination, criminal background check, and continuing education. Therapists providing orientation/mobility services shall hold a certificate for orientation and mobility from the Orientation and Mobility Division, Association for Education and Rehabilitation of the Blind and Visually Impaired.
6. **Duties of Therapists.** Each Therapist shall perform duties including, but not limited to, the following:
  - a. Provide services in accordance with students' Individual Education Programs (IEPs) under the direction and supervision of School District 62's Director of Special Education or his/her designee.
  - b. Observe, record, and report on students' progress, responses to treatment, and any changes in the students' conditions.
  - c. Participate with District personnel in staff and IEP meetings when invited regarding planning and implementing particular students' IEPs.
7. **Student Records.** Each Therapist shall maintain records and reports in accordance with the policies of School District 62, including progress reports and observations for the progress of students, and furnish such other documents as may be required by the Director of Special Education or his/her designee of the School District that the student in question is attending. All such records, including information and notes prepared or provided by the Therapists shall be the property of, and shall be maintained by, each individual School District for their own students. Therapists shall have access to those students' records and information to the extent necessary to appropriately provide services to said students. Therapists will abide by all confidentiality requirements of the Illinois School Student Records Act (ISSRA), the Family Education Rights and Privacy Act (FERPA), and all other applicable laws and regulations.
8. **Inventory.** Equipment and other inventory used by Therapists that is currently owned by the School Districts will be housed at and maintained by School District 62, unless otherwise agreed by the parties. Purchase of materials/supplies for specific students (as determined by the IEP team) will be purchased directly by the home district of the student. General supplies needed to support the Therapists on a day-to-day basis will be billed proportionally among the three school districts based on each School District's FTE as provided for in paragraph 3 above.

- 9. **Amendments.** This Agreement may be modified or amended only by a written agreement executed by the parties hereto.
- 10. **Applicable Law.** This Agreement shall be construed in accordance with the laws of the State of Illinois.
- 11. **Complete Understanding.** This Agreement sets forth all of the promises, agreements, conditions, and understandings between the parties relative to the subject matter hereof, and there are not promises, agreements, or undertakings, either oral or written, express or implied, between them other than as herein set forth.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date below. In the event the dates differ, the latter shall be the effective date of this Agreement.

**BOARD OF EDUCATION  
DES PLAINES COMMUNITY CONSOLIDATED SCHOOL DISTRICT 62,**

\_\_\_\_\_  
President Date

Attest: \_\_\_\_\_  
Secretary Date

**BOARD OF EDUCATION  
PARK RIDGE-NILES SCHOOL DISTRICT 64,**

\_\_\_\_\_  
President Date

Attest: \_\_\_\_\_  
Secretary Date

**BOARD OF EDUCATION  
MAINE TOWNSHIP HIGH SCHOOL DISTRICT 207,**

\_\_\_\_\_  
President Date

Attest: \_\_\_\_\_  
Secretary Date

Approval of Policies 2:80, 2:81, 2:110, 2:140, 2:230

| <b>Policy</b> | <b>Title</b>  | <b>BOE Meeting<br/>2/6/17<br/>Change/No<br/>Change</b> | <b>Approval<br/>BOE Meeting<br/>2/21/17</b> |
|---------------|---|--|---|
| 2:80          | School Board – Board Member Oath of Conduct   | C<br>page 1 in blue                                    |   |
| 2:81          | School Board – Board Member Self-Governance (New)   | C<br>Page 1 in blue                                    |   |
| 2:110         | School Board – Qualifications, Term and Duties of Board Officers                              | N/C  |   |
| 2:140         | School Board – Communications To and From the Board   | C<br>Paragraph 1 in blue                               |   |
| 2:230         | School Board – Public Participation at Board of Education Meetings and Petitions to the Board | C<br>Pages 1 & 2 in blue                               |   |

2/21/17



## **School Board**

### **Board Member Oath and Conduct**

Each School Board member, before taking his or her seat on the Board, shall take the following oath of office:

**I, (name), do solemnly swear** (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education (or Board of School Directors, as the case may be) of *(name of School District)*, in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.

**I further swear** (or affirm) that:

**I shall respect** taxpayer interests by serving as a faithful protector of the School District's assets;

**I shall encourage** and respect the free expression of opinion by my fellow Board members and others who seek a hearing before the Board, while respecting the privacy of students and employees;

**I shall 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 public Board meeting; and

**I shall abide** by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels.

The Board President will administer the oath in an open Board meeting; in the absence, of the President, the Vice President will administer the oath. If neither is available, the Board member with the longest service on the Board will administer the oath.

### **Code of Conduct**

The Board adopts the Illinois Association of School Boards' (IASB) "Code of Conduct for Members of School Boards." A copy of the Code shall be displayed in the regular Board meeting room.

The IASB Code is as follows:

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 included; but not limited to actions for example through deed or social media statements 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.

LEG. REF: 105 ILCS 5/10-16.5.

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the School Board; Indemnification), 2:50 (Board Member Term of Office), 2:100 (Board Member Conflict of Interest), 2:105 (Ethics and Gift Ban), 2:210 (Organizational School Board Meeting)

REVISED: April 23, 2007

REVISED: November 15, 2010

REVISED: November 17, 2014

REVISED: XXXXX, 2017

## School Board

### Board Member Self-Governance

The Board President is authorized to identify and offer corrective measures in response to conduct of Board members that is inconsistent with the expectations set forth in the Code of Conduct (Board Policy 2:80 *Board Member Oath and Conduct*).

Intervention measures will include:

- Level One: A Board member whose conduct is at issue will have a 1:1 conversation with the Board President at which time any potentially injurious conduct is clearly defined and recommendations as to remediation are made.
- Level Two: A Board member's conduct and/or violation of policy is discussed at a Board meeting as a matter of a Board Agenda decision item and a Resolution of Censure may be proposed.
- Beyond a Resolution of Censure, when appropriate, the Board may appeal to the Regional Superintendent of Education for a removal of the Board member from office if the conduct at issue is deemed a failure to fulfill the member's official duties.

Special meetings may be called by the President or by and 3 Board members pursuant to Policy 2:200 *Types of School Board Meetings*.

LEGAL REF.: 105 ILCS 5/20-1, 5/10-10, and 5/10-20.5.  
5 ILCS 120/1.01.

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

ADOPTED: XXXXXX, 2017

## **School Board**

### **Qualifications, Term, and Duties of Board Officers**

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

#### **President**

The Board of Education 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;
3. Attend and observe any Board committee meeting at his or her discretion;
4. Represent the Board on other boards or agencies;
5. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
6. Call special meetings of the Board;
7. Serve as the *head of the public body* for purposes of the Open Meetings Act and Freedom of Information Act;
8. Ensure that a quorum of the Board is physically present at all Board meetings;
9. Administer the oath of office to new Board members; **and**
10. Serve as the Board's official spokesperson to the media, **and**
11. **Conduct interventions with Board members concerning conduct as identified in Board Policy 2:81 (*School Board Self-Governance*).**

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.

#### **Vice President**

The Board of Education 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 special Board election.

#### **Secretary**

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, he or she will not be compensated. 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 meeting 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 the District;
6. Arrange public inspection of the budget before adoption;
7. Publish required notices;
8. Sign official District documents requiring the Secretary's signature; and
9. Maintain Board policy and such other official documents as directed by the Board.

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

#### Recording Secretary

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

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

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, **2:81 (School Board Self Governance)**), 2:210 (Organizational School Board Meeting)

ADOPTED: October 27, 1997

REVISED: April 23, 2007

REVISED: December 14, 2009

REVISED: November 15, 2010

REVISED: April 4, 2011

REVISED: January 28, 2014

REVISED: August 25, 2014

REVISED: **TBD**

2:110

## School Board

### Communications To and From the Board

The School Board welcomes communications from ~~the community~~. staff members, parents, ~~students~~, and community members. ~~should~~. Individuals may submit questions or communications for the School Board's consideration to the Superintendent; ~~or may use the electronic link to the Board's email address(es) that is posted on the District's website.~~ In accordance with the Open Meetings Act and the Oath of Office taken by Board members, individual Board members will not (a) reply to an email on behalf of the entire Board, but may reply in receipt of an email and forward to the Board President and/or administration or (b) engage in the discussion of District business with a majority of a Board-quorum.

The Superintendent or designee shall: ~~provide the Board with a summary of these questions or communications and provide,~~

1. Ensure that the home page for the District's website contains an active electronic link to the email address(es) for the School Board, and
2. Provide the Board, such as ~~appropriate, his or her~~ in the Board meeting packet, with all emails that are received and any feedback regarding ~~the matter-them~~.

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

### Board Member Use of Electronic Communications

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

electronic communications: ~~may contain:~~

1. Agenda item suggestions
2. Reminders regarding meeting times, dates and places
3. Board meeting agendas or information concerning agenda items
4. Individual ~~emails or text messages to responses to questions posed by~~ community members, subject to the other limitations in this policy

LEGAL REF.:5 ILCS 120/.

~~50 ILCS 205/20.~~

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

ADOPTED: October 27, 1997

REVISED: September 14, 1999

REVISED: July 9, 2007

REVISED: August 22, 2011

REVISED: ~~XXXX, 2017~~

2:140



## **School Board**

### **Public Participation at Board of Education Meetings and Petitions to the Board**

At each regular and special open meeting, members of the public and District employees may comment on or ask questions of the Board, subject to reasonable constraints.

Prior to the public comment period, the Board President shall make the following statement:

*“Per Illinois Statute and the Open Meetings Act, we now begin the public comment section of our agenda. All individuals who wish to speak are asked to line up next to the podium in preparation. Please note that you each will have a strict 3-minute time frame allotted. Please state your name as you are called to speak. As this is a meeting of the Board conducted in public and not a meeting of the public, speakers should not expect an immediate response or enter into a dialogue with the Board during the meeting. With a consensus of the Board, however, issues or topics raised during public comment may be added to current and/or future agendas for Board discussion or may be addressed by the Superintendent or designee individually with the speaker at a future time.”*

The Individuals appearing before the Board are expected to follow these guidelines:

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board President.
2. Identify oneself and be brief. Comments shall be limited to 3 minutes. In unusual circumstances, ~~and~~ or when the person has made a request in advance to speak for a longer period of time, the individual may be allowed to speak for more than 5 minutes.
3. Observe the Board President’s decision to shorten public comment to conserve time and give the maximum number of individuals an opportunity to speak.
4. Observe the Board President’s decision to determine procedural matters regarding public participation not otherwise covered in Board of Education policy.
5. Conduct oneself with respect and civility toward others and otherwise abide by Board policy, 8:30, *Visitors to and Conduct on School Property*.

Petitions or written correspondence to the Board shall be presented to the Board in the next regular Board packet.

During the public comment period, Board members shall refrain from commenting directly to or engaging in a dialogue with any speaker.

Following the public comment period, a Board member may make a motion to have a discussion by the Board to determine whether there is a consensus that any of the issues or topics brought forward during public comment should be scheduled for further discussion at ~~an~~ a current and/or upcoming Board meeting or should be addressed by the Superintendent or designee individually with the speaker at a future time. Upon a second of the motion and a majority vote approving the motion, the Board will proceed with the discussion.

LEGAL REF.: 5 ILCS 120/2.06.

105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:220 (Board of Education Meeting Procedure), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: October 27, 1997

REVISED: April 4, 2011, November 17, 2014, February 22, 2016, ~~XXXX~~,  
2017

TO: Board of Education  
 FROM: Laurie Heinz  
 DATE: February 21, 2017  
 RE: Review/Release of Closed Minutes

Superintendent Laurie Heinz and Board Secretary Vicki Lee, reviewed closed minutes from May 23, 2016, through December 12, 2016.

**CONSIDERATION OF DISTRICT 64 CLOSED SESSION MINUTES**

| <b>DATE OF MEETING</b> | <b>ISSUE</b>                              | <b>RECOMMENDATION</b> |
|------------------------|---|-----------------------|
| May 23, 2016           | 1. Collective Negotiations                | 1. Hold               |
|                        | 2. Collective Negotiations                | 2. Hold               |
| May 24, 2016           | 1. Collective Negotiations                | 1. Hold               |
| June 13, 2016          | 1. Collective Negotiations                | 1. Hold               |
|                        | 2. Collective Negotiations                | 2. Hold               |
|                        | 3. Collective Negotiations                | 3. Hold               |
| June 27, 2016          | 1. Collective Negotiations                | 1. Hold               |
| July 18, 2016          | 1. Collective Negotiations                | 1. Hold               |
|                        | 2. Performance                            | 2. Hold               |
| August 8, 2016         | 1. Collective Negotiations                | 1. Hold               |
|                        | 2. Employment                             | 2. Hold               |
|                        | 3. Compensation                           | 3. Hold               |
|                        | 4. Matters Relating to Individual Student | 4. Hold               |
| August 22, 2016        | 1. Matters Relating to Individual Student | 1. Hold               |
|                        | 2. Employment                             | 2. Hold               |
|                        | 3. Collective Negotiations                | 3. Hold               |
|                        | 4. Compensation                           | 4. Hold               |
| September 12, 2016     | 1. Employment                             | 1. Hold               |
|                        | 2. Performance                            | 2. Hold               |
|                        | 3. Collective Negotiations                | 3. Hold               |
|                        | 4. Collective Negotiations                | 4. Hold               |
|                        | 5. Compensation                           | 5. Hold               |
|                        | 6. Performance                            | 6. Hold               |

| <b>Date of Meeting</b> | <b>Issue</b>   | <b>Recommendation</b>  |
|------------------------|--|--|
| September 26, 2016     | 1. Collective Negotiations<br>2. Collective Negotiations<br>3. Collective Negotiations   | 1. Hold<br>2. Hold<br>3. Hold                                  |
| October 11, 2016       | 1. Collective Negotiations<br>2. Performance<br>3. Performance   | 1. Hold<br>2. Hold<br>3. Hold                                  |
| October 24, 2016       | 1. Employment<br>2. Employment<br>3. Collective Negotiations   | 1. Hold<br>2. Hold<br>3. Hold                                  |
| November 14, 2016      | 1. Employment<br>2. Collective Negotiations<br>3. Collective Negotiations  | 1. Hold<br>2. Hold<br>3. Hold                                  |
| November 28, 2016      | 1. Collective Negotiations<br>2. Collective Negotiations   | 1. Hold<br>2. Hold   |
| December 12, 2016      | 1. Employment<br>2. Probable Litigation<br>3. Collective Negotiations<br>4. Collective Negotiations<br>5. Compensation<br>6. Performance | 1. Hold<br>2. Hold<br>3. Hold<br>4. Hold<br>5. Hold<br>6. Hold |

2/21/17

Approval of Minutes

ACTION ITEM 17-02-8

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the minutes from the Closed Session meeting on January 23, February 6 and February 13, 2017; Special Board Meeting on February 6 and 13, 2017; Committee-of-the-Whole: Finance Meeting on February 6, 2017, and Regular Board Meeting on January 23, 2017.

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 6:00 p.m.  
February 13, 2017  
Jefferson School – Multipurpose Room  
8200 Greendale Avenue  
Niles, IL 60714**

Board President Anthony Borrelli called the meeting to order at 6:05 p.m. Other Board members in attendance were Vicki Lee, Mark Eggemann, Scott Zimmerman, and Tom Sotos. Board member Bob Johnson was absent. Also present were Superintendent Laurie Heinz, Public Information Coordinator Bernadette Tramm, and five 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/>

**PUBLIC COMMENTS**

Board President Borrelli invited public comments; none were received.

Public  
Comments

**REVIEW CANDIDATES FOR BOARD VACANCY**

Board President Borrelli announced that per Board Policy 2:70, the Board was obliged to fill the open seat position within 45 days of registering the vacancy with the regional superintendent. 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 the regular meeting on February 21, 2017.

Review  
Candidates for  
Board Vacancy

Board President Borrelli noted that each candidate had been allotted 10 minutes for their interview, and that Board members would take turns asking each candidate the same three questions:

- The vacant Board seat will be available for 10 weeks or 3-4 meetings until filled through the next general election. What knowledge, experience and/or attributes do you feel you will bring to the Board of Education during this short time?
- Within that same timeframe, what knowledge do you already have and how will you gain additional knowledge surrounding the numerous topics being discussed at the District level to provide insight during Board discussions?
- Can you please describe your awareness and thinking surrounding the financing of District capital improvement projects as well as the most recent financing proposal presented to the Board.

Each candidate also was given an opportunity at the end of their comments to add any further statement they would like to make to the Board.

The Board interviewed the following individuals in succession: Monica Wojnicki, Joan Sandrik, Terry Cameron, Alan Martin, Terry Krahl, and Elissa Reiner. At 7:10 p.m., Board President Borrelli called for a brief recess. The Board returned from recess at 7:20 p.m. and continued the interviews with the final two candidates: Chandra Kearney and Larry Woodard.

Board President Borrelli thanked each candidate in turn on behalf of the Board for stepping forward for consideration to be appointed for this short time, and encouraged their continued interest and support for District 64. Dr. Heinz reviewed the next steps that the Board had followed during the process to fill the last vacancy in 2014. Board President Borrelli then announced that the Board hoped to reach consensus on its top three candidates during the closed session this evening, and that he would contact the top candidate to verify that this individual could accept the position. He stated that he would then contact all other candidates to let them know of the Board's deliberations prior to making a public announcement of the preferred candidate on Friday, February 17, when the reports for the regular meeting of February 21, 2017 would be made available. Board President Borrelli noted that the Board would vote on the interim replacement during open session on February 21, at which time the selected individual would also be sworn in and seated.

**DISCUSSION OF POLICY 2:100**

Discussion of  
Policy 2:100

Board President Borrelli noted that discussion of Policy 2:100, *Conflict of Interest*, is an extension of efforts to review policies concerning the Board's code of conduct, expectations for behavior and communications, and self-governance, which were initiated at the February 6, 2017 special meeting prompted by the recent resignation of a Board member. He noted that the District's legal counsel had provided background information concerning this policy, as the issue has come forward in light of the candidacy of several community members for Board seats at the April 4, 2017 municipal election who also are spouses of current District 64 staff members. Board President Borrelli reported that the District's legal counsel had advised the Board that Illinois case law is settled and holds that the interest of a public officer's spouse in a contract does not necessarily mean that the public officer has an interest, even an indirect interest, in the contract, provided that the contract is not mere subterfuge for the public officer's own pecuniary interest. Board President Borrelli noted that counsel also advised that by law, the fact that a School Board member has a spouse employed by the District does not itself create a conflict. He further reported that counsel had indicated that notwithstanding the legal requirement, counsel generally advises that School Board members abstain from discussing and voting on any contracts that affect their spouses and/or family members in order to avoid even the appearance of impropriety. Board President Borrelli pointed out that the District's counsel referenced that such advice is supported by the the Illinois Association of School Boards PRESS model exhibit to Board Policy 2:80 *Board Member Code of Conduct*.

With that advice in mind, Board President Borrelli then offered an amendment to Board Policy 2:100, which the District's legal counsel had suggested could be added if the

Board so decided, which would be placed as the second sentence of the existing policy: *However, even when permitted by State law, a School Board member is strongly encouraged to recuse him- or her-self from discussions, deliberation and voting on any item(s) to which the School Board member has a personal or family connection in order to avoid the appearance of impropriety.*

Board members then discussed what impact the additional text might have, whether it was redundant to existing policy, and the right of voters to elect individuals to the Board knowing of their affiliation who would be constrained by existing language within Policy 2:100 and other policies regarding Board member conduct.

The policy will be returned for further Board review at an upcoming meeting.

**ADJOURNMENT TO CLOSED SESSION**

At 7:59 p.m., it was moved by Board President Borrelli and seconded by Board member Sotos 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)], not to return to open session with no action to be taken.

Adjournment to  
Closed Session

The votes were cast as follows:

AYES: Sotos, Zimmerman, Borrelli, Lee, Eggemann

NAYS: None.

PRESENT: None.

ABSENT: Johnson

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary



**BOARD OF EDUCATION  
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64  
Minutes of the Special Board of Education Meeting held at 7:00 p.m.  
February 6, 2017  
Jefferson School-Multipurpose Room  
8200 Greendale Avenue  
Niles, IL 60714**

Board President Anthony Borrelli called the meeting to order at 6:07 p.m. Other Board members in attendance were Vicki Lee, Mark Eggemann, Bob Johnson, and Tom Sotos. Board member Scott Zimmerman was absent. Also present were Superintendent Laurie Heinz, Assistant Superintendent Joel Martin, Public Information Coordinator Bernadette Tramm, and one member of the public.

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

**BOARD RECESSES AND ADJOURNS TO CLOSED SESSION**

At 6:08 p.m., it was moved by Board President Borrelli and seconded by Board member Eggemann to adjourn to closed session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity [5 ILCS 120/2(c)(1)]; collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees [5 ILCS 120/2 (c)(2)]; and the selection of a person to fill a public office, including a vacancy in a public office, when the District is 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)].

Board Recesses  
and Adjourns to  
Closed Session

The votes were cast as follows:

AYES: Sotos, Borrelli, Lee, Johnson, Eggemann

NAYS: None.

PRESENT: None.

ABSENT: Zimmerman

The motion carried.

The Board adjourned from closed session at 6:52 p.m. and took a short recess before resuming the special Board meeting at 7:05 p.m.

In addition to those mentioned above, also present were: Assistant Superintendent Lori Lopez, Chief School Business Official Luann Kolstad, Director of Student Services Jane Boyd, Director of Innovation & Instructional Technology Mary Jane Warden, Director of Facility Management Ron DeGeorge, and about 20 additional members of the public.

**PUBLIC COMMENTS**

Board President Borrelli invited public comments on items not on the agenda; none were received.

Public  
Comments

**APPROVAL OF RESOLUTION 1178 AUTHORIZING A SUPPLEMENTAL TAX LEVY TO PAY THE PRINCIPAL OF AND INTEREST ON THE DISTRICT’S OUTSTANDING LIMITED BONDS**

Approval of Resolution 1178 Authorizing a Supplemental Tax Levy to Pay the Principal of and Interest on the District’s Outstanding Limited Bonds

CSBO Kolstad reported that as discussed at the January 23, 2017 meeting, the Board was being requested to issue a supplemental tax levy to pay a small part of the principal of and interest on the 2014 Working Cash bonds. She pointed out that this amount represents the difference between the assume 1.5% CPI that was used when the bonds were issued in March 2014, and the actual CPI for tax levy years 2015 and 2016; the rates for those years were .7% and .8% respectively. She noted that the District’s financing consultants, Elizabeth Hennessy from William Blair, had confirmed the amount of the supplemental tax levy to be \$29,394 for the tax levy years 2016-2019.

ACTION ITEM 17-02-1

Action Item  
17-02-1

It was moved by Board member Johnson and seconded by Board member Lee that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve Resolution 1178 Authorizing a Supplemental Tax Levy to Pay the Principal of and Interest on the District’s Outstanding Limited Bonds.

The votes were cast as follows:

- AYES: Eggemann, Johnson, Lee, Borrelli, Sotos
- NAYS: None.
- PRESENT: None.
- ABSENT: Zimmerman

The motion carried.

**FIRST READING OF POLICIES 2:80, 2:81, 2:100, 2:110, 2:140, 2:230**

First Reading of Policies 2:80, 2:81, 2:100, 2:110, 2:140, 2:230

Board President Borrelli noted that all but 2:100 *Board Member Conflict of Interest* would be addressed tonight. He noted that the policy revisions were being brought forward in response to concerns raised by members of the Board and community members regarding expectations for Board member conduct, communications to and from the Board, Board member use of electronic communications, public participation at Board meetings, and Board self-governance in the aftermath of the resignation of a Board member announced at the January 23, 2017 meeting. Board President Borrelli noted that the revisions suggested

this evening were intended to clarify expectations and provide more explicit guidelines, and that the revisions had been reviewed by the District's legal counsel.

Board members then discussed each policy in turn. Regarding 2:80 *School Board Member Oath of Conduct*, Board President Borrelli noted that the revision adds the full text of the Illinois Association of School Boards (IASB) code into the policy itself, rather than making reference to it. Board members discussed a potential wording change to item #4 of the IASB Code. Dr. Heinz was asked to determine whether such a change could be made. Regarding 2:140 *Communications to and from the Board*, Board President Borrelli announced that the recommended changes were primarily added to bring District 64 into alignment with the most current revision from PRESS. During discussion, an additional change suggesting that Board members may respond to email by forwarding to the Board President and/or administration was added by consensus. Revisions to Policy 2:230 *Public Participation at Board Meetings and Petitions to the Board*, Board President Borrelli noted the suggested revisions helped clarify that the Board meeting is in public but it is not a public meeting, and also provided more specific guidance on time to be allotted for public comments and how responses to those concerns would be made. Board members reached consensus on adding several small clarifications. Board President Borrelli then noted that revisions to 2:110 *Qualifications, Terms and Duties of Board Officers* were being offered solely to coincide with a suggested new policy, 2:81 *Board Self-Governance*. He then reviewed the new, multi-step process that would afford an opportunity for Board members to collectively govern and potentially sanction a member's conduct. Board members discussed the implications of their responsibilities to act under the policy. Dr. Heinz was asked to have legal counsel review whether the proposed second step could be addressed in closed session. Board members also asked that instructions on how special meetings may be called be inserted into the policy language. Board President Borrelli noted that the policies would return for adoption at the next regular meeting.

**BOARD VACANCY UPDATE**

Board Vacancy  
Update

Dr. Heinz reported that board is required to appoint an interim replacement by March 9, as verified by the director of the North Cook Intermediate Service Center. She noted that at the January 23, 2017 meeting, the Board had reached consensus on a timeline to receive applications for the vacancy. Dr. Heinz said that the public call for applicants had gone out on January 24, and that 11 candidates had submitted their required materials by the February 3, 2017 noon deadline. The consensus of the Board was to invite all the applicants to be interviewed at the February 13, 2017 special meeting, with a closed session immediately following for the Board to deliberate. Dr. Heinz was directed to schedule 10-minute interviews for the February 13 meeting, and announce the schedule publicly. The Board consensus was that a candidate would be voted upon and be sworn in at the February 21, 2017 regular meeting.

**ADJOURNMENT TO COMMITTEE-OF-THE-WHOLE:  
FINANCE**

Adjournment to  
Committee-of-the-Whole:  
Finance

At 8:18 p.m., it was moved by Board President Borrelli and seconded by Board member Sotos to adjourn to a Committee-of-the-Whole: Finance, which was approved by consensus.

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President

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Secretary

DRAFT

**BOARD OF EDUCATION  
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64**

Minutes of the Committee-of-the-Whole: Finance Meeting held at 7:15 p.m.

February 6, 2017

Jefferson School-Multipurpose Room

8200 Greendale Avenue

Niles, IL 60714

Board President Anthony Borrelli called the meeting to order at 8:20 p.m. Other Board members in attendance were Vicki Lee, Mark Eggemann, Bob Johnson, and Tom Sotos. Scott Zimmerman was absent. Also present were Superintendent Laurie Heinz, Chief School Business Official Luann Kolstad, Assistant Superintendents Lori Lopez and Joel Martin, Director of Innovation & Instructional Technology Mary Jane Warden, Director of Student Services Jane Boyd, Director of Facility Management Ron DeGeorge, Assistant Business Manager Brian Imhoff, Public Information Coordinator Bernadette Tramm, and about 25 members of the public.

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Board President Borrelli said the purpose of the meeting was to receive several reports related to financial planning for future years.

**Enrollment Projections for 2017-18 School Year and Discussion on Staffing 2017-18**

Assistant Business Manager Imhoff noted that projecting student enrollment is the first step in predicting staffing needs for the upcoming school year. He reported that last year, the District began using the cohort survival method, which is considered more reliable than a straight rollover projection. He noted that predicting kindergarten enrollment is the most difficult part of preparing each year's projection, and reported that a large number of families with school-age children have moved into the District within the last five years. Assistant Business Manager Imhoff reported that total enrollment is projected to increase by 45 students to 4,500 in grades K-8 for 2017-18.

Focusing on staffing, Assistant Superintendent Martin noted that the District's projections indicate that maintaining the current class size guidelines for the expected 2017-18 enrollment would require the addition of four additional sections overall to maintain the District's current class size guidelines. In addition, he noted that four other sections are being watched as "bubbles," as they are within three students of exceeding the class size guideline. Assistant Superintendent Martin explained that in addition to adding a classroom teacher when a new section is opened, special sections, such as art and music, also are affected and may require additional staff or an increase in Full Time Equivalent (FTE) in one or more areas. Assistant Superintendent Martin also provided an overview of the process for adding staff when a class exceeds the guideline prior to the opening of school. Assistant Superintendent Martin reported that the District is not recommending the hiring of any additional staff due to changes in programs or services for 2017-18, and that the only changes foreseen at this time are those resulting from fluctuations in enrollment. He also reviewed the plans for conducting the more limited Reduction-in-Force (RIF) notifications required for the 2017-18 school year, which will be brought to the Board later this spring. He summarized by reviewing a potential staffing request of 4 teachers for classes that have exceeded the class size guidelines using the District's enrollment projections, 4 teachers for classes that are currently within 3 students of exceeding

the class size guideline and are considered “bubbles,” and 2.5 teachers for “bubble” sections for specials, such as art and music, should an extra section be needed for a total of 10.5 FTE. Both Assistant Superintendent Martin and Assistant Business Manager Imhoff responded to Board member questions throughout their presentations.

### **Financial Projections**

CSBO Kolstad noted that the District updates its long-range projections as part of its annual financial cycle once the tax levy has been adopted in December and the CPI-U for the next tax levy year is released in mid-January. She then reviewed the assumptions used in the projections. For revenues, she noted that the actual 2016 CPI-U at 2.1% would impact 2017-18 and 2018-19 revenues and is considerably higher than the last three years. She said that future years were assumed to have a CPI of 1%, and that no changes were made in assumptions for state and federal funding. Turning to expenditures, she noted that the updated enrollment projections just presented had been incorporated, and that for budget purposes, 5 class teachers and 1 special area teacher would be added. CSBO Kolstad noted that salaries were adjusted based on the new, four-year Collective Bargaining Agreements (CBA) with teachers and teaching assistants, and that net savings from the retirement incentives from the new CBAs for known retirements in the next two years had been included. CSBO Kolstad reported that Operations & Maintenance expenditures would continue at \$0.5 million per year and that repayment of Debt Certificates, which will be introduced during the next report, had also been included at the recommended \$800,000 beginning in 2017-18. CSBO Kolstad noted that a pension cost shift from the State of Illinois to the District would continue to be included as part of the District’s conservative approach in assumptions.

CSBO Kolstad then reviewed the summary of the updated projections for the next five years, which show the Operating Fund balance decreasing gradually from the 219 days at the close of the currently budgeted 2016-17 fiscal year to 173 days at the end of the 2020-21 fiscal year. She noted that this would still be above the District’s fund balance policy of 120 days, and would meet the Board’s extended goal of surpassing the 2007 referendum promise to operate for a decade without further rate relief by at least four additional years. CSBO Kolstad responded to questions throughout her presentation, providing clarifying information. Board members discussed the current assumption that revenues each year are based on the District levying to obtain the full amount legally entitled through the tax cap Property Tax Extension Limitation Law (PTELL), and explored what the impact might be to the District over time if the levy were not raised each year either by a state-imposed property tax freeze for one or two years or by the Board’s own decision. CSBO Kolstad reiterated that unlike local municipalities, school districts may not raise the levy at its pleasure from year to year but rather are under the strict parameters of the tax cap restrictions. She noted that lost revenue actually compounds quickly in just a few years, so that omitting even one year has significant lasting impact since it can never be captured again. CSBO Kolstad will prepare several “freeze” scenarios for future Board consideration.

### **Funding of District Construction Projects**

CSBO Kolstad reported that Elizabeth Hennessy from William Blair had updated a financing plan to provide a framework to fund approximately \$33 million in Health Life Safety and Master Facilities Plan projects the Board had reviewed in depth most recently at the November 28, 2016 meeting. Ms. Hennessy briefly reviewed the current state of the market and District 64’s outstanding debt, before presenting a five-year plan that would match funding needed each year through summer 2021. She identified a framework that would utilize cash, debt certificates, and limited bonds to accomplish the work. She noted that the recommendation would be to issue debt

certificates first, use the District's available cash second, and then issue limited bonds for the remainder. Because they are a new type of funding tool for District 64, Ms. Hennessy reviewed with the Board how debt certificates are structured. She noted that they are paid back from the District's operating funds, and that there is no separate tax levy for them. Ms. Hennessy pointed out that the District would be pledging \$800,000 each year to repay the debt certificates from the operational savings the District expects to achieve through staff retirements related to the new CBAs with teachers and teaching assistants that CSBO Kolstad had described in the previous report, along with exercising cost containment. Ms. Hennessy also reviewed the cash available from an original \$10 million the Board had previously designated for capital projects.

Turning to the limited bonds, Ms. Hennessy outlined a proposal to issue bonds in 2019 and 2020, and to make use of \$2 million in accumulated fund balance in the bond and interest fund. She noted that the debt service tax rate would be dropping because of the retirement of much of the District's previous outstanding debt, and that the new limited bonds would restore some, but not all, of that debt service rate that taxpayers had become accustomed to. In summary, she noted the framework would use debt certificates to provide \$9,250,000 to be repaid over 15 years; cash of \$3,500,000; and 2019 bonds to provide \$9,700,000 and 2020 bonds to provide \$10,544,141 both to be repaid in 10 years, for a total of nearly \$33 million. She noted that the plan also gives flexibility beginning in 2024 without refunding existing bonds for future boards to issue more bonds if needed, and that breaking up most of the funding under \$10 million per year would allow the bonds to be bank qualified resulting in lower interest rates than non-bank qualified bonds. Ms. Hennessy, CSBO Kolstad and Dr. Heinz provided clarifying information about the proposed plan as Board members discussed the proposed framework and identified advantages and disadvantages.

CSBO Kolstad and Ms. Hennessy also briefly reviewed a proposed schedule to move forward on implementing the framework to prepare for issuing debt certificates and seeking authorization for limited bonds this spring. Ms. Hennessy reviewed the several steps in the process to authorize the issuance of bonds. She noted that once the Board had completed all the steps, it would have authorization in place to issue the bonds and could do so within the proposed timeframe based on market conditions and the pace of the projects. Board members also discussed the implications of using debt certificates for the first time, which would require fiscal discipline in ongoing operations. Further discussion ensued about the financial projections presented earlier in the meeting and the possible impact of a property tax freeze on District revenues or other unforeseen actions that could place unanticipated pressure on the District's budget.

At 11:01 p.m., upon motion of Board member Eggemann and second of Board member Johnson, the meeting was adjourned by consensus.

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President

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Secretary

**BOARD OF EDUCATION**  
**COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64**  
**Minutes of the Regular Board of Education Meeting held at 7:00 p.m.**  
**January 23, 2017**  
**Jefferson School-Multipurpose Room**  
**8200 Greendale Avenue**  
**Niles, IL 60714**

Board President Anthony Borrelli called the meeting to order at 6:30 p.m. Other Board members in attendance were Vicki Lee, Mark Eggemann, Bob Johnson, Scott Zimmerman and Tom Sotos. Also present were Superintendent Laurie Heinz, Chief School Business Official Luann Kolstad, Assistant Superintendent Joel T. Martin, Public Information Coordinator Bernadette Tramm, and one member of the public.

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

**BOARD RECESSES AND ADJOURNS TO CLOSED SESSION**

Board Recesses  
and Adjourns to  
Closed Session

At 6:31p.m., it was moved by Board President Borrelli and seconded by Board member Zimmerman to adjourn to closed session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity [5 ILCS 120/2(c)(1)]; collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees [5 ILCS 120/2(c)(2)]; and litigation, when an action against, affecting or on behalf of the particular District has been filed and is pending before a court or administrative tribunal, or when the District finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the closed meeting minutes [5 ILCS 120/2(c)(11)].

The votes were cast as follows:

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

NAYS: None.

PRESENT: None.

ABSENT: None.

The motion carried.

The Board adjourned from closed session at 7:07 p.m. and took a short recess before resuming the regular Board meeting at 7:16 p.m.

In addition to those mentioned above, also present were Assistant Superintendent Lori Lopez, Director of Student Services Jane Boyd, Director of Facility Management Ron DeGeorge, Director of Innovation and Instructional Technology Mary Jane Warden, Assistant Director of Student Services Vasiliki Frake, and approximately 75 members of the public.



Board President Borrelli announced that earlier today, Board member Dathan Paterno had submitted his resignation effective immediately as a result of posts to his personal Twitter account made yesterday. President Borrelli noted that the announcement had been shared early this morning publicly with parents, staff and the community, and is available on the District 64 website. He reiterated that the statements of former Board member Paterno do not reflect the thoughts, attitude or opinions of the District in general or of this Board of Education in specific. Board President Borrelli stressed that former Board member Paterno's statements are in no way shared by or condoned by the Board, and that they remain his private statements from his private social media account. Board President Borrelli reiterated that the District is larger than one individual and that the Board would continue focusing on its work on behalf of the community. He announced that the Board would immediately begin the process of filling the vacated Board seat as directed by state law and District policy.

### **PLEDGE OF ALLEGIANCE AND WELCOME**

Jefferson Principal Lisa Halverson welcomed the Board to District 64's early childhood center. Following the Pledge of Allegiance, Principal Halverson and staff members showcased how even the District's youngest learners, ages 3-5, are building 21st century skills focused on the 4C's of communication, collaboration, creativity and critical thinking, and how other strategic plan goals are being implemented in the preschool curriculum and by staff. Board President Borrelli thanked the representatives for the comprehensive update.

Pledge of Allegiance  
and Welcome

### **PUBLIC COMMENTS**

Board President Borrelli invited comments from the public on items not on the agenda, which were received as follows:

Public  
Comments

- Norman Dzedziec Jr, addressed the Board concerning continuing performance issues with Carpenter School's HVAC system.
- Dan Rippeteau, Dolores Bradley, and Ginger Pennington each addressed the Board concerning the resignation of Board member Paterno, the Board's code of conduct and guidelines for use of social media, and community expectations for behavior and Board self-governance.
- Kyra Cavanagh, a District 64 parent, addressed the Board concerning educating students on diversity, civility and tolerance.
- Stuart Eng, president of Lincoln Middle School PTO, expressed appreciation for capital improvement projects, especially improved security measures and work on the Learning Resource Center, planned for Lincoln this year.
- Monica Wojnicki, a candidate for the Board of Education in April, related the experience of having signatures on nominating petitions for her candidacy contested.
- Stacy Kelly, John Renaldi, Daisy Bowe, Lynn Wiemeler, Sara Nugent, Suzan Henley, and Larry Ryles each addressed the Board concerning the resignation of Board member Paterno, the Board's code of conduct and guidelines for use of social media, and community expectations for behavior and Board self-governance.

Before returning to the agenda, President Borrelli thanked all who had emailed, phoned and spoken in person about this matter. Dr. Heinz reaffirmed Board President Borrelli's sentiments and stated that going forward, she intended to refocus the community's thoughts on the positive things that District 64 stands for. She noted that District 64 is a school community that works diligently to inspire our students beyond just academic excellence, but to become informed, caring and responsible local as well as global citizens. She pointed out that District 64 is a school community that teaches students to be respectful of one another and of each other's viewpoints, to engage in civil conversation, and to choose words and actions to avoid hurting others and to contribute to the betterment of their school and community. She also noted that District 64 is a school community that celebrates diversity. Dr. Heinz concluded by noting that this Board member incident will not be allowed to define or derail the important mission of this District.

**ADOPTION OF RESOLUTION #1177 DIRECTS THE CHIEF SCHOOL BUSINESS OFFICIAL UNDER THE DIRECT SUPERVISION OF THE SUPERINTENDENT TO BEGIN PREPARATION OF A TENTATIVE BUDGET FOR THE 2017-18 FISCAL YEAR IN ACCORDANCE WITH BOARD POLICY 4:10 FISCAL AND BUSINESS MANAGEMENT AND THE ILLINOIS SCHOOL CODE 105ILCS 5/17-1**

CSBO Kolstad reported that the Board is requested every January to formally authorize administration to begin preparation of a tentative budget for the upcoming fiscal year beginning July 1. She noted that the budget takes many months to prepare and relies on input from a wide range of individuals both internally and from outside the District, such as vendors with which the District contracts for the following year. CSBO Kolstad said tonight's action would allow a new budget cycle to get underway, so that a tentative budget could be prepared in a timely manner for the Board's review and adoption as required by law.

Adoption of Resolution #1177  
Directs the Chief School Business Official Under the Direct Supervision of the Superintendent to Begin Preparation of a Tentative Budget for the 2017-18 Fiscal Year in Accordance with Board Policy 4:10 Fiscal and Business Management and the Illinois School Code 105ILCS 5/17-1

ACTION ITEM 17-01-1

Action Item  
17-01-1

It was moved by Board member Zimmerman and seconded by Board member Lee that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, adopt Resolution #1177, directing the Chief School Business Official Under the Direct Supervision of the Superintendent to Begin Preparation of a Tentative Budget for the 2017-18 Fiscal Year in Accordance with Board Policy 4:10 *Fiscal and Business Management* and the *Illinois School Code* 105 ILCS 5/17-1.

The votes were cast as follows:

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

NAYS: None.

PRESENT: None.

ABSENT: None.

The motion carried.

With the consensus of the Board, several items on the agenda were reordered.

**UPDATE FROM MAINE TOWNSHIP SCHOOL TREASURER**

Maine Township School Treasurer Tom Ahlbeck provided an overview of his responsibilities to manage cash flow for District 64 and invest available funds. He described the factors in selecting investments, maturity scheduling, rates, and other considerations. He reported rates of returns for the short- and long-term portfolios under his control as of December 31, 2016. It was noted that his ongoing investment reports are provided to the Board with the financial statements each month.

Update from Maine Township School Treasurer

**RATIFICATION OF PRATAA/BOARD AGREEMENT**

Board President Borrelli noted that tonight is the culmination of efforts spanning many months to reach a new Collective Bargaining Agreement (CBA) with the Park Ridge Teacher Assistants' Association, which represents teaching assistants. Board President Borrelli noted this is the second four-year agreement with the assistants, and that it had been fully ratified by PRATAA on January 13. He reported that similar to the new contract for teachers settled earlier in the fall, the base increase for each year is now tied to CPI-U and will help to control the rate of escalation of expenses. He thanked Board members Lee and Johnson for their ongoing work as the Board's representatives in the negotiations and to administration for their support throughout the process.

Ratification of PRATAA/Board Agreement

ACTION ITEM 17-01-2

It was moved by Board member Johnson and seconded by Board member Lee that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, ratify the four-year contract between the Park Ridge Teacher Assistants' Association (PRATAA) and the Board of Education on January 23, 2017.

Action Item 17-01-2

The votes were cast as follows:

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

NAYS: None.

PRESENT: None.

ABSENT: None.

The motion carried.

Dr. Heinz added her thanks to PRATAA President Russ Haak and the team for their efforts. Mr. Haak thanked the school board and team members that approached bargaining in a highly cooperative manner and listened to their concerns to achieve a new CBA that addresses the needs of members and the community.

**DISCUSSION OF CORE PLUS COMMITTEE AND IMPLEMENTATION TIMELINE**

Discussion of Core Plus Committee and Implementation Timeline

Student Services Director Boyd and Assistant Director Vasiliki Frake, accompanied by committee members, provided an update on the work of the Core Plus Committee, which was formed in 2015 following the review of District 64 programs and services conducted by the Consortium for Educational Change (CEC). They pointed out that the purpose of the committee is to ensure full implementation of a multi-tiered system of supports (MTSS) in District 64, and noted that MTSS was formerly referred to as Response to Intervention (RtI). They noted that MTSS is a model mandated by the Illinois State Board of Education to support students who are at-risk of failure in the areas of English Language Arts (ELA), math, and/or social emotional learning (SEL). Assistant Director Frake reported that the goal is to close student achievement gaps earlier in a child's school career. She pointed out that the committee's work is directly linked to the District 64 *2020 Vision* Strategic Plan strategic objective #3, and that activities within the timeline developed by the committee will lead to full implementation of this objective within the Strategic Plan. She reviewed the committee's membership and recent focus areas in its first and second years of work, and noted that two other committees – SEL and Problem-Solving – are focused on many of the outcomes related to the Core Plus Committee's mission. Assistant Director Frake reported that as this work continues to move forward, the role of Core Plus was shifting to implementation monitoring and annual review of the plan. Director Boyd and Assistant Director Frake noted that current Core Plus initiatives include an expansion of co-teaching, following up from a staff survey on the "big ideas;" and expansion of tier 3 interventions to include reading, writing, math and SEL. The Board commended the committee on its extensive work and the ambitious implementation timeline.

**FACILITY UPDATE: WASHINGTON SECURE VESTIBULE  
SURVEY FINDINGS AND BUILDING BREACH RESULTS**

CSBO Kolstad reported that as part of the District's continuing focus on implementing security enhancements identified through the RETA Security analysis completed in 2013, it had recently asked Mr. Paul Timm of RETA to conduct unannounced testing of existing access control and visitor management practices at all District 64 schools. Mr. Timm reported the results of visits to the schools on December 20, 2016 and January 9, 2017. He related the detailed findings as he and/or members of his team attempted to gain access without following current visitor management practices upon entry and/or by attempting to gain access by doors other than the main entry. Mr. Timm noted that these probes indicate that once a visitor is buzzed into the building at all schools except Washington and Emerson, there is no way of ensuring they report directly to the office since the offices are not adjacent or physically integrated with the entry. He pointed out that the experiences differed at Washington, with a new secured vestibule, and at Emerson, which is partially secured. He noted that a critical problem was "tailgating," where one individual would enter immediately behind the person that the office had approved to enter without checking in separately. Dr. Heinz reported that administration has shared the results of these security breaches with building administrators, and that retraining of office personnel in particular would be undertaken. She also noted that new signs had been ordered for the inside and outside of all access doors, to notify visitors that entry was limited to the main door and to warn occupants not to open doors for any

Facility Update:  
Washington Secure  
Vestibule Survey Findings  
and Building Breach  
Results

visitors. Although these additional measures are helpful and training is always essential, Dr. Heinz and CSBO Kolstad reiterated secure vestibules are recommended to be added at all schools to allow the school offices to control and monitor who is allowed to gain access into the buildings and manage that process directly at the office. Dr. Heinz, CSBO Kolstad and Board members discussed accountability of employees who repeatedly fail to follow existing security measures. The Board consensus also was for Mr. Timm to re-test the entries again later this spring.

Discussion then turned to a recent survey of parents at Washington School regarding their experiences with the new secure vestibule. Dr. Heinz noted the Board had received the full report including all comments. Mr. Timm confirmed for the Board that all buildings now designed as schools have a secure vestibule within the drawings, and that this is now the standard expectation for school access. Dr. Heinz confirmed that in the benchmarking study of the North Cook 40 group of schools, District 64 was the only district that did not have secure entries at its schools. Both Mr. Timm and Dr. Heinz reiterated that the secure entry offers a layered approach and that it is controlling access daily to meet the concerns of a wide range of situations schools routinely face on an ongoing basis. Mr. Timm stressed that it is essential for reducing risk and giving the school the tools to allow entry only to those individuals who should be in the school and denying access to those who should not. Facility Management Director DeGeorge also updated the Board on alarms that have been added to alert the office when any exterior door has been left open. He also noted that electronic card readers now provided at many exterior doors have made it convenient for staff to enter from the playgrounds so that propping open of doors is unnecessary. Dr. Heinz reported that all of the schools also now have an adult staff member assigned to door duty at entry and exit times so they can monitor the flow of adults into the buildings, and that some of the schools had compressed the flow down to one or two doors to further tighten security. Dr. Heinz noted that the District would be continuing to work with its partners at the Northeastern Illinois Public Safety Training Academy (NIPSTA) to study these daily entry/exit procedures this spring.

#### **WINTER BREAK CONSTRUCTION/PUNCH LIST UPDATE**

CSBO Kolstad and Facility Management Director DeGeorge spotlighted two areas from their written update on winter break construction and punch list items. They noted that the steps undertaken to correct continuing HVAC problems at Carpenter School as discussed with the Board at the December 12, 2016 meeting were completed over winter break, and that the building is maintaining temperatures. They noted that several smaller and less pressing issues are also being addressed, such as replacement of noisy motors, and that LG, the manufacturer, was sending two engineers from Korea to review the system due to District 64's persistence in addressing these continuing problems. CSBO Kolstad and Director DeGeorge then described specific roofing concerns from summer 2016 projects that had led to District 64 seeking an extended warranty from the contractor in the form of a 15-year bond to pay up to \$150,000 in repairs and maintenance on an annual basis if the contractor fails to perform as promised. The consensus of the Board was that this was a prudent approach to protect the District's interests over much of the lifetime of the roofs.

Winter Break  
Construction/Punch  
List Update

Board President Borrelli called for a brief break; the meeting resumed at 9:52 p.m. Board member Eggemann did not return to the meeting.

**AUTHORIZATION TO SEEK TRANSPORTATION BIDS FOR 2017-18 SCHOOL YEAR**

Authorization to Seek Transportation Bids for 2017-18 School Year

CSBO Kolstad and Dr. Heinz reviewed the District's options regarding either extending the District's existing bus transportation contract for both regular and special education services for up to two more years, or seeking new competitive bids. They noted that District 64 is completing the third year of its contract with Lakeview Transportation, and that the contract had been bid competitively at the time it was awarded. Board members discussed the pros and cons of each approach, and came to consensus on directing administration to seek new bids.

ACTION ITEM 17-01-3

Action Item 17-01-3

It was moved by Board member Zimmerman and seconded by Board member Sotos that the Board of Education of Community Consolidated School District 64, Park Ridge-Niles, Illinois, approve the authorization to seek transportation bids for the 2017-18 school year.

The votes were cast as follows:

AYES: Johnson, Lee, Borrelli, Zimmerman, Sotos

NAYS: None.

PRESENT: None.

ABSENT: Eggemann

The motion carried.

**RATIONALE FOR SUPPLEMENTAL TAX LEVY TO PAY THE PRINCIPAL OF AND INTEREST ON THE DISTRICT'S OUTSTANDING LIMITED BONDS DISCUSSION**

Rationale for Supplemental Tax Levy to Pay the Principal of and Interest On The District's Outstanding Limited Bonds Discussion

CSBO Kolstad provided background information on the need to seek a small supplemental tax levy related to the District's Series 2014A general obligation limited tax school bonds, which were issued to pay for construction projects at Field School. She reviewed calculations prepared by the District's financing consultant that explained how the bonds were designed to enable the District to capture the CPI annual increase in the Debt Service Extension Base. The supplemental levy allows the District to levy for debt service up to the increased DSEB once the CPI increase is known. She reported the Board would be asked to take action on this adjustment at the February 6, 2017 meeting.

**MID-YEAR UPDATE ON 2020 VISION STRATEGIC PLAN YEAR 2 IMPLEMENTATION**

Mid-year Update on 2020 Vision Strategic Plan Year 2 Implementation

Board President Borrelli announced that due to the lateness of the hour, the report would be rescheduled to the next regular meeting.

Discussion and Approval of Superintendent Compensation 2016-17 and Consideration for 2017-18

**DISCUSSION AND APPROVAL OF SUPERINTENDENT COMPENSATION  
2016-17 AND CONSIDERATION FOR 2017-18**

Board President Borrelli briefly summarized Dr. Heinz’s accomplishments since becoming superintendent in July 2014, ranging from increases in student achievement, creation of a comprehensive Strategic Plan, completion of a 10-year Health Life Safety Survey and Master Facilities Plan, collective bargaining agreements with two key employee groups, stepped up communications and community engagement, a comprehensive safety and security plan, continuing strong fiscal control to extend the referendum promise, and many other initiatives that have moved District 64 forward. He reported that the compensation for the superintendent, which would typically have been acted upon in summer 2016, was delayed until negotiations were completed with teachers and teaching assistants and the scope of the investment needed for urgent facility projects had been determined. With those accomplished, Board President Borrelli reported that the Board was now ready to take action upon her compensation. He noted that the Board was proposing no wording changes to the contract other than to extend it for an additional year, so that it would remain a revolving three-year contract. He noted that the Board was unanimous in its evaluation that Dr. Heinz had exceeded the goals they had set for her work. He further noted that the Board acknowledged that her compensation when hired for District 64 had been considerably below the market rate, which was justified at the time since she was new to the level of superintendent. He pointed out that given two years of exemplary performance already extending well into a third year, it was time to move toward providing a market adjustment to begin placing Dr. Heinz into the lowest quartile of the market and also to provide her with an annual compensation increase earned for accomplishment of the ambitious goals set for her. He pointed out there would be no change to the benefit package provided. Board members then voiced their agreement of the proposal, and pointed out the improvements already achieved, positive momentum propelling the District forward through her leadership, as well as the need to begin bringing Dr. Heinz into alignment with the market.

ACTION ITEM 17-01-4

|   |                        |
|---|------------------------|
| It was moved by Board member Zimmerman and seconded by Board member Johnson that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Superintendent compensation increase of 2% for the 2016-17 school year with a market adjustment of \$10,100.00. | Action Item<br>17-01-4 |
|---|------------------------|

The votes were cast as follows:

AYES: Sotos, Zimmerman, Borrelli, Lee, Johnson

NAYS: None.

PRESENT: None.

ABSENT: Eggemann

The motion carried.

**FIRST READING OF POLICY 7:60 FROM PRESS ISSUE 93**

First Reading of  
Policy 7:60 From  
PRESS Issue 93

CSBO Kolstad requested the item be deferred to a future meeting in order to collect additional information about potential updates.

**CONSENT AGENDA**

Consent  
Agenda

**A. PERSONNEL REPORT**

|                    |  |
|--------------------|--|
| Taylor Krause      | Employ as Assistant at Roosevelt School effective January 9, 2017 – \$15.78 hr. <i>“Salary amount is subject to change according to the outcome of bargaining with PRTAA”.</i>   |
| Lisa Nixon         | Change of Assignment from .50 Assistant at Field School to .50 Assistant at Jefferson School effective January 30, 2017 – \$15.78 hr. <i>“Salary amount is subject to change according to the outcome of the bargaining with PRTAA”.</i> |
| Susan Battista     | Leave of Absence Request, Personal – Special Needs Assistant at Emerson School effective January 9, 2017 – March 24, 2017.   |
| Matthew Keating    | Leave of Absence Request, Paternity/FMLA Science Teacher at Emerson School effective May 1, 2017 – June 2, 2017 (tentative).   |
| Alaina Knapp       | Leave of Absence Request, Maternity/FMLA – General Music Teacher at Carpenter/Washington School effective April 12, 2017 – May 30, 2017 (tentative).   |
| Dru Sullivan       | Grant Leave of Absence Extension Modified, Medical/Temporary Incapacity – Assistant 2nd Grade Teacher at Field School effective November 10, 2016 – February 21, 2017 (tentative).   |
| Margaret Szajowska | Grant Leave of Absence Extension Modified, Medical/Temporary Incapacity - Assistant at Emerson School effective January 10, 2016 – February 21, 2017 (tentative).  |
| Helene Zukas       | Leave of Absence Extension Request, Parental – EL Teacher at Roosevelt School effective November 11, 2016 – June 2, 2017 (tentative).  |
| Sia Albans         | Resign as Assistant Principal at Roosevelt School effective June 14, 2017.   |
| Karen Nicolopoulos | Resign as Health Assistant at Franklin School effective June 2, 2017.  |
| Liam Ryan          | Resign as Special Education Assistant at Roosevelt School, effective December 22, 2016.  |
| Melissa Superfine  | Resign as Special Needs Teacher at Washington School, effective January 18, 2017.  |
| Kelly Amelse       | Retire as 2nd Grade Teacher at Washington School, effective June 2018.   |
| Jodi Baty          | Retire as 6th Science Teacher at Emerson School effective June 2, 2017.  |



|                       |  |
|-----------------------|--|
| Pat Brennan           | Retire as 2nd Grade Teacher at Franklin School effective June 2, 2017.                                     |
| Virginia (Gini) Burns | Retire as EL Teacher at Washington School effective June 2, 2017.  |
| Anthony Clishem       | Retire as District Curriculum Specialist, effective June 2018.   |
| Cynthia Davies        | Retire as Art Teacher at Emerson School effective June 2, 2017.  |
| Jane Everett          | Retire as LRC Director Teacher at Field School effective June 2, 2017.                                     |
| Meryl Fulara          | Retire as 1st Grade Teacher at Franklin School effective June 2, 2017.                                     |
| Dale Haase            | Retire as Physical Education Teacher at Lincoln School, effective June 2018.                               |
| Barbara Harsch        | Retire as Social Worker at Emerson School, effective June 2018.  |
| Karen Heffner         | Retire as Special Education Teacher at Emerson School effective June 2, 2017.                              |
| Irene Kappos          | Retire as 6th Grade LA Teacher at Lincoln School effective June 2, 2017.                                   |
| Jamie Knoblauch       | Retire as Literacy Teacher at Field School effective June 2, 2017.   |
| Jean Kulnig           | Retire as 4th Grade Teacher at Roosevelt School effective June 2, 2017.                                    |
| Dena Levenson         | Retire as Social Worker at Field School, effective June 2, 2017.   |
| Faye Manzi            | Retire as Read to Succeed Teacher at Lincoln School, effective June 2, 2017.                               |
| Sandi Marks           | Retire as EL Teacher at Franklin School effective June 2, 2017.  |
| Peggy (Grace) Morgan  | Retire as 12-Month Level V Secretary to the Chief School Business Official at ESC effective June 30, 2017. |
| Deb Morris            | Retire as Special Education Resource Teacher at Field School effective June 2, 2017.                       |
| Tamara Nardi          | Retire as General Music Teacher at Lincoln School effective June 2018.                                     |
| Diane Olson           | Retire as LRC Director Teacher at Emerson School effective June 2, 2017.                                   |
| Anna Marie Petricca   | Retire as Resource Teacher at Franklin School effective June 2, 2017.                                      |
| Linda Roig            | Retire as Kindergarten Teacher at Roosevelt School effective June 2, 2017.                                 |

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

B. BILLS, PAYROLL AND BENEFITS

Bills

|  |                |
|--|----------------|
| 10 - Education Fund-----                   | \$1,070,873.92 |
| 20 - Operations and Maintenance Fund ----- | 236,774.45     |
| 30 - Debt Services-----                    | 6,317.48       |
| 40 - Transportation Fund -----             | 238,241.31     |
| 50 - Retirement (IMRF/SS/MEDICARE)-----    | -              |
| 60 - Capital Projects -----                | 637,938.12     |
| 80 - Tort Immunity Fund -----              | 1,485.50       |
| 90 - Fire Prevention and Safety Fund ----- |                |

Checks Numbered: 126403, 126417-126574, 126579-126581, 126582-126636  
Total: \$2,191,630.78

Payroll and Benefits for Month of December, 2016

|  |                 |
|--|-----------------|
| 10 - Education Fund-----                   | \$ 6,068,550.67 |
| 20 - Operations and Maintenance Fund ----- | 347,027.51      |
| 40 - Transportation Fund -----             | 1,468.65        |
| 50 - Retirement (IMRF/SS/Medicare)-----    | 128,520.81      |
| 51 - SS/Medicare-----                      | 136,206.87      |
| 80 - Tort Immunity Fund -----              |                 |

Checks Numbered: 12863 – 12960  
Direct Deposit: 900106539 – 900108756  
Total: \$ 6,681,774.51

Accounts Payable detailed list can be viewed on the District 64 website [www.d64.org](http://www.d64.org) > Departments > Business Services.

C. APPROVAL OF FINANCIAL UPDATE FOR THE PERIOD ENDING DECEMBER 31, 2016

The monthly financial report can be viewed on the District 64 website [www.d64.org](http://www.d64.org) > Departments > Business Services.

D. ADOPT 2017-18 TENTATIVE CALENDAR

E. APPROVAL OF POLICIES FROM PRESS ISSUE 92

F. DESTRUCTION OF AUDIO CLOSED MINUTES (NONE)

ACTION ITEM 17-01-5

Action Item  
17-01-5

It was moved by Board member Johnson and seconded by Board member Zimmerman that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda of January 23, 2017 which includes the Personnel Report; Bills, Payroll and Benefits; Approval of Financial Update for the Period Ending December 31, 2016; Adopt 2017-18 Tentative Calendar; Approval of Policies from PRESS Issue 92; and Destruction of Audio Closed Minutes (none).

The votes were cast as follows:

AYES: Johnson, Lee, Borrelli, Zimmerman, Sotos

NAYS: None.

PRESENT: None.

ABSENT: Eggemann

The motion carried.

### **APPROVAL OF MINUTES**

#### ACTION ITEM 17-01-6

Approval of  
Minutes

Action Item  
17-01-6

It was moved by Board member Lee and seconded by Board member Sotos that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the minutes from the Closed Session meeting on December 12, 2016; Regular Board meeting on December 12, 2016; and Special Board meeting on November 28, 2016.

The votes were cast as follows:

AYES: Sotos, Borrelli, Lee, Johnson

NAYS: None.

PRESENT: Zimmerman

ABSENT: Eggemann

The motion carried.

### **OTHER DISCUSSION AND ITEMS OF INFORMATION**

Other Discussion  
and Items of  
Information

Superintendent Heinz reviewed agendas for upcoming meetings, and noted a recent influx of FOIA requests predominantly from one individual. She announced that employees and retirees had contributed almost \$11,000 to the recently concluded 2016 Park Ridge Community Fund campaign, which supports local social service agencies that provide vital services for local residents. She expressed her appreciation for the generosity and compassion of District 64 in responding to the human needs of the community.

Dr. Heinz and Dr. Lopez then reviewed the new schedule that has been developed for the overnight outdoor education program for grade 5 students at Camp Duncan. They reviewed a new compact schedule that will reduce the program from 2.5 days and 2 nights, to 2 days and 1 night. They reported that a committee comprised of two representatives from each 5th grade team and all of the elementary building principals

had discussed the current structure of the program and that all members fully support moving to the compact schedule. Dr. Heinz and Dr. Lopez noted that the schedule retains all the favorite educational experiences for students, better supports the new Next Generation Science Standards-aligned science curriculum, meets goals for social-emotional learning, and places the program on a more sustainable basis for the future. They reported that the change would occur for the 2017-18 school year, and that elementary school parents would be immediately updated about the change and many benefits of the two-day format that provides a rich outdoor education experience for students.

Dr. Heinz then reviewed a proposed timeline to fill the vacancy created by the resignation of Board member Paterno, which will be filled in conformance with Board Policy 2:70 *Vacancies on the School Board – Filling Vacancies*. She noted that the Regional Office of Education had been notified and had calculated that March 9 would be the deadline for the Board to appoint a replacement. Dr. Heinz reported that the most recent prior Board resignation had occurred in summer 2014, and using that as a basis, she was providing a suggested timeline to announce the opening on January 24 and request that interested applicants should send qualifications by noon on Friday, February 3 to the Board President c/o the District 64 Educational Service Center. She recommended that the Board review the applicants received by the deadline at the special meeting on February 6, and that a special meeting be added on February 13 to conduct interviews in open session of some or all applicants. Dr. Heinz said this schedule would allow the Board to vote on the interim appointment at the February 21 meeting. Board members expressed consensus about the timeline and process, and requested that Dr. Heinz collect interview questions used previously for their consideration.

**ADJOURNMENT**

Adjournment

At 11:05 p.m., it was moved by Board member Borrelli and seconded by Board member Zimmerman to adjourn, which was approved by voice vote.

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

Inspire every child to



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

Regular Board Meeting Agenda  
Monday, March 13, 2017  
Franklin School – Gym  
2401 Manor Lane  
Park Ridge, IL 60068

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

### TIME

### APPENDIX

- |           |  |  |
|-----------|--|--|
| 7:00 p.m. | <p><b>Meeting of the Board Convenes</b></p> <ul style="list-style-type: none"> <li>• Roll Call</li> <li>• Introductions</li> <li>• Opening Remarks from President of the Board</li> </ul>  |  |
| 7:00 p.m. | <p>• <b>Pledge of Allegiance and Welcome</b></p> <p>• <b>Public Comments</b></p> <p>• <b>Approval of Assistant Principal for Roosevelt School</b> <span style="float: right;">A-1</span><br/>-- Superintendent <span style="float: right;">Action Item 17-03-1</span></p> <p>• <b>Website Analytics Report</b> <span style="float: right;">A-2</span><br/>-- Director of Innovation and Instructional Technology</p> <p>• <b>Approval of E-rate Projects</b> <span style="float: right;">A-3</span><br/>-- Director of Innovation and Instructional Technology <span style="float: right;">Action Item 17-03-2</span></p> <p>• <b>Discussion on District Lawn Care Procedures</b> <span style="float: right;">A-4</span><br/>-- Chief School Business Official</p> <p>• <b>Final Review of 10-year Health Life Safety Survey (ISBE)</b> <span style="float: right;">A-5</span><br/>-- Chief School Business Official</p> <p>• <b>Approve Parameters Debt Certificate Resolution Authorizing Board President, Superintendent and Business Manager Final Approval of Sale</b> <span style="float: right;">A-6</span><br/>-- Chief School Business Official <span style="float: right;">Action Item 17-03-3</span></p> <p>• <b>Approval of Summer 2017 Roof Projects</b> <span style="float: right;">A-7</span><br/>-- Chief School Business Official</p> |  |

• **Presentation of Tentative Calendar for 2018-19**

-- Superintendent

• **Consent Agenda**

**Action Item 17-03-4 A-9**

-- Board President

- Personnel Report, including
  - Resolution #XX Dismissal of First and Third Year Probationary Teachers for Reasons Other than Reduction-in-Force
  - Resolution #XX Honorable Dismissal of Teachers
  - Resolution #XX Dismissal of Probationary Educational Support Personnel Employees
- Bills, Payroll and Benefits
- Approval of Financial Update for the Period Ending February 28, 2017
- Acceptance of Donation
- Approval of Policies from PRESS Issue 93 and Policy 2:100
- Approval of Contract for Audit Services in 2017-18
- Destruction Audio Closed Minutes (none)

• **Approval of Minutes**

**Action Item 17-03-5 A-10**

-- Board President

- Regular Board Meeting -----February 21, 2017
- Closed Session Meeting -----February 21, 2017

• **Other Discussion and Items of Information**

**A-11**

-- Superintendent

- Upcoming Agendas
- District Committee Update (Elementary Learning Foundation)
- Memoranda of Information
  - Healthy Living Month
  - Report on 2017-18 School Year Registration
- Minutes of Board Committees (none)
- Other
  - EL Audit Findings

• **Adjournment**

Next Meeting: **Monday, April 3, 2017**  
Special Board Meeting – 6:30 p.m.  
Committee-of-the-Whole: Curriculum – 7:00 p.m.  
**Jefferson School – Multipurpose Room**  
8200 N. Greendale Avenue  
Niles, IL 60714

Next Regular Meeting: **Monday, April 24, 2017**  
Regular Board Meeting – 7:00 p.m.  
**Carpenter School – South Gym**  
300 N. Hamlin Avenue  
Park Ridge, IL 60068

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

DRAFT

From: **Johnson, Jennifer** <[jjohnson@pioneerlocal.com](mailto:jjohnson@pioneerlocal.com)>  
Date: Wed, Jan 25, 2017 at 11:58 AM  
Subject: FOIA request  
To: Bernadette Tramm <[btramm@d64.org](mailto:btramm@d64.org)>

RE: Illinois FOIA Request

Dear Bernadette:

Pursuant to the Illinois Freedom of Information Act, 5 ILCS 140, I am requesting:

Copies of any and all email and text message communication between District 64 administrators and Dr. Dathan Paterno; school board president Anthony Borrelli and Dr. Dathan Paterno; and District 64 administrators and all individual school board members for the period of Jan. 21, 2017 through Jan. 24, 2017.

Under FOIA, "[a]ll records in the custody or possession of a public body are presumed to be open to inspection or copying." As a representative of the news media I ask that you waive any applicable fees. This information is being sought on behalf of the Park Ridge Herald-Advocate and Chicago Tribune.

As this information is of timely value, I would appreciate your communicating with me by telephone or e-mail if you have questions regarding this request. Thank you for your assistance.

**Jennifer Johnson**  
**Staff Writer**  
**Park Ridge Herald-Advocate**  
**Chicago Tribune**

**Phone:** [\(630\) 200-8301](tel:(630)200-8301)

[parkridge.chicagotribune.com](http://parkridge.chicagotribune.com)

[www.facebook.com/prheraldadvocate](http://www.facebook.com/prheraldadvocate)

Twitter: [@ParkRidge\\_HA](https://twitter.com/ParkRidge_HA)  
[@Jen\\_Tribune](https://twitter.com/Jen_Tribune)



**Freedom of Information Act  
2017-5**

Madelyn Wsol <mwsol@d64.org>



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**Re: FOIA Request**

1 message

---

hubbard [redacted]  
Reply-To: [redacted]  
To: Madelyn Wsol <mwsol@d64.org>  
Cc: Bernadette Tramm [redacted]

Mon, Feb 6, 2017 at 3:25 PM

FOIA Officer  
Madelyn Wsol  
Park Ridge-Niles School District 64 (D64)  
Hendee Educational Service Center (ESC)  
164 S. Prospect Ave.  
Park Ridge, IL 60068

and

Public Information Coordinator/FOIA Officer  
Bernadette Tramm  
Park Ridge-Niles School District 64 (D64)  
Hendee Educational Service Center (ESC)  
164 S. Prospect Ave.  
Park Ridge, IL 60068

Dear FOIA Officers,

In accordance with the Illinois Freedom of Information Act (5 ILCS 140) I am hereby requesting your office provide access to the following records from District 64 in electronic format:

I am requesting the building sign in sheet at Lincoln Middle School for January, 2016 through June 2016. I am specifically requesting the building sign in sheets that I, Rachel Hubbard signed when entering the school building. I am seeking an unredacted copy showing the date and time Rachel Hubbard, aka R. Hubbard entered and exited the building.

In accordance with the Illinois Freedom of Information Act (5 ILCS 140.3.1(c)) my request is not for the purpose of personal or commercial benefit. Further, in accordance with 5 ILCS 140/6(c) I am requesting a fee waiver. 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, and because I am a concerned parent. Disclosure of the requested information, to me, is in the public interest because it is likely to contribute

significantly to public understanding of the need to have a better understanding of our District 64 staff and students and access to our schools.

Please provide the information electronically, and as required by law.

Thank you,

Rachel Hubbard





Freedom of Information Act  
2017-6

Madelyn Wsol <mwsol@d64.org>

---

## Fwd: FOIA Request

1 message

---

Mon, Feb 6, 2017 at 4:43 PM

To: Madelyn Wsol <mwsol@d64.org>

Cc: Bernadette Tramm <btramm@d64.org>

FOIA Officer

Madelyn Wsol  
Park Ridge-Niles School District 64 (D64)  
Hendee Educational Service Center (ESC)  
164 S. Prospect Ave.  
Park Ridge, IL 60068

and

Public Information Coordinator/FOIA Officer  
Bernadette Tramm  
Park Ridge-Niles School District 64 (D64)  
Hendee Educational Service Center (ESC)  
164 S. Prospect Ave.  
Park Ridge, IL 60068

Dear FOIA Officers,

In accordance with the Illinois Freedom of Information Act (5 ILCS 140) I am hereby requesting your office provide access to the following records from District 64 in electronic format:

I am requesting the building sign in sheet at Hendee Educational Service Center (ESC) January, 2015 through June 2016. I am specifically requesting the building sign in sheets that I, Rachel Hubbard aka R. Hubbard and Sabrina Shafer aka S Shafer signed when entering and exiting the building. I am seeking an unredacted copy showing the date and time Rachel Hubbard, and Sabrina Shafer entered and exited the building.

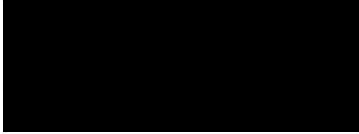
In accordance with the Illinois Freedom of Information Act (5 ILCS 140.3.1(c)) my request is not for the purpose of personal or commercial benefit. Further, in accordance with 5 ILCS 140/6(c)) I am requesting a fee waiver. The principal purpose of the request is to access or disseminate information regarding the health, safety and welfare or legal rights of the general public, and because I am a concerned parent. Disclosure of the requested information, to me, is in the public interest because

it is likely to contribute significantly to public understanding of the need to have a better understanding of our District 64 staff and students and access to our schools.

Please provide the information electronically, and as required by law.

Thank you,

Rachel Hubbard





---

**FOIA request - candidate resumes**

1 message

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**Johnson, Jennifer** <jjohnson@pioneerlocal.com>  
To: Bernadette Tramm <btramm@d64.org>

Wed, Feb 8, 2017 at 11:30 AM

RE: Illinois FOIA Request

Dear Bernadette:

Pursuant to the Illinois Freedom of Information Act, 5 ILCS 140, I am requesting:

Copies of applications, resumes and any and all written materials submitted by all candidates applying for the District 64 school board vacancy.

Under FOIA, "[a]ll records in the custody or possession of a public body are presumed to be open to inspection or copying." As a representative of the news media I ask that you waive any applicable fees. This information is being sought on behalf of the Park Ridge Herald-Advocate and Chicago Tribune.

As this information is of timely value, I would appreciate your communicating with me by telephone or e-mail if you have questions regarding this request. Due to the timing of the board interviews, I would request that this information be submitted to us as soon as possible and earlier than the five business days allowed under Illinois FOIA.

Thank you.

**Jennifer Johnson**  
Staff Writer  
Park Ridge Herald-Advocate  
Chicago Tribune

Phone: (630) 200-8301

[parkridge.chicagotribune.com](http://parkridge.chicagotribune.com)

[www.facebook.com/prheraldadvocate](http://www.facebook.com/prheraldadvocate)

Twitter: @ParkRidge\_HA  
@Jen\_Tribune



## Freedom of Information Act 2017-8

Madelyn Wsol <mwsol@d64.org>

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### Freedom of Information Act Request

1 message

---

Lindsay Allen Halloran <lmccfund@gmail.com>

Mon, Feb 13, 2017 at 9:54 PM

To: mwsol@d64.org

Good Evening,

*FOIA: Capital Improvement Park  
Ridge-Niles SD 64*

Madelyn Wsol:

Pursuant to the provisions of the Freedom of Information Act 5 U.S.C. §552, please consider this letter a formal request for copies of the certified payroll for the work performed from A Horn Masonry from June 2016 through the jobs' completion.

If any portion of this request is denied, please cite the specific exemption(s) that you believe allows for the denial, and inform us of the appeal procedures available to us under the law. I anticipate, however, that you will make the requested materials available within the statutorily prescribed period. I also request that you please inform me of any applicable fees that may accrue before the request is completed. If you have questions, please contact me directly at 630-600-3862. Please email to [lmccfund@gmail.com](mailto:lmccfund@gmail.com). Thank you for your time!

Sincerely,

Lindsay Halloran  
Office Administrator

Forwarded message -----

From: **FOIA LocalLabs** <[foia@locallabs.com](mailto:foia@locallabs.com)>

Date: Tue, Feb 14, 2017 at 11:28 AM

Subject: Cook County District Consolidated Elections Candidate Filings and Reports FOIA request

To:

Greetings,

I am writing you in your capacity as a public body contact for your organization.

I work for LocalLabs Media Services, which manages publications that report on and inform the public about local governments.

Pursuant to the Illinois Freedom of Information Act, 5 ILCS 140, I am requesting electronic copies of the following where applicable:

- A complete list of candidate filings for the 2017 consolidated elections.
- The most recently filed annual Treasurer's and Budget Report(s) for your organization.

Furthermore, this is not a commercial request. I understand that the Act permits a public body to charge a reasonable copying fee not to exceed the actual cost of reproduction and not including the costs of any search or review of the records (5 ILCS 140/6).

Thank you in advance for your cooperation and assistance.

Regards,  
Ryan Nation

RECEIVED

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

FEB 15 2017

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: 1-17-2017

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

Name of Requester: Denise Burton

Street Address: Bishop Plumbing, Inc. 975 Rand Road

City/State/County Zip (required): Des Plaines IL 60016

Telephone (Optional): 847-824-1800 E-mail (Optional) deniseb@bishopplumbing.com

Fax (Optional): 847-824-2426

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.

Requesting a list of RPZ devices in your district  
along with address, email address and contact  
info of person making RPZ certification  
decisions.

Do you want copies of the documents?  YES or NO

--Do you want electronic copies or paper copies? Electronic

--If you want electronic copies, in what format? PDF

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 2010-

Date Requested \_\_\_\_\_

Date Due \_\_\_\_\_

F:(847)-318-4351



To: Board of Education  
Dr. Laurie Heinz, Superintendent

From: Madelyn Wsol, Administrative Assistant to the Superintendent

Date: February 21, 2017

Subject: Organizational Meeting - May 1, 2017

State law requires that the school board reorganize after each school board election by seating new members, electing officers and setting a time and place for regular meetings. The meeting can be held any time following the election but should not be held before the election authority have canvassed election returns and determined winners. The last day for the Cook County Clerk's Office to canvass election results and proclaim winners is April 25, 2017 at 5:00 p.m.

It is recommended that the Board schedule the reorganizational meeting for Monday, May 1, 2017.

**The Park Ridge Education Association and  
the District 64 Parent-Teacher Organizations**  
present

# MEET THE CANDIDATES

*for the*

## **Park Ridge – Niles School District 64 Board of Education**

*All seven candidates have been invited to attend.*

**Tuesday, March 14, 2017**

**7:00 – 8:30 p.m.**

Roosevelt Elementary School Auditorium  
1001 S. Fairview Ave.

Moderated by Gail Haller, *Executive Director of  
the Park Ridge Chamber of Commerce*

**General Election on April 4, 2017**



## **FOR IMMEDIATE RELEASE:**

### Teacher Organization, PTOs To Host School Board Meet The Candidate Night

*Park Ridge, IL – February 15, 2017* – For the third consecutive election, the Park Ridge Education Association and the District 64 Parent-Teacher Organizations will be hosting a “Meet The School Board Candidate” night. The public forum will be held in the Roosevelt School Auditorium at 1001 S. Fairview on Tuesday, March 14 from 7:00 to 8:30 p.m. Seating will be limited.

Seven candidates will be on the April 4 ballot, running for four openings on the Park Ridge – Niles School District 64 Board of Education. The terms of Scott Zimmerman, Robert Johnson and Vicki Lee will be up at the end of this school year. The fourth opening will be for the currently unfilled vacancy left by last month’s resignation of Board member Dathan Paterno whose term was also scheduled to expire at the end of this school year. None of the four current members are choosing to seek re-election.

“I’m excited that we can, once again, offer the community the opportunity to meet these candidates and hear each speak before people head to the polls in April,” explained PREA President Erin Breen. “This is such an important election for our schools as the majority of the Board positions are up for election at one time.” All seven candidates are expected to participate in the Meet The Candidate event.

Each candidate will have the opportunity to introduce himself and then to participate in a conversation about education in our schools and other topics relevant to serving on a school board. The evening will be moderated by Gail Haller, the Executive Director of the Park Ridge Chamber of Commerce. Although there will not be an opportunity for the public to ask questions, the candidates will be available to talk individually with audience members after the event.

The Park Ridge Education Association (PREA) is made up of the nearly 400 educators of School District 64 and works closely with the District administration to serve the needs of all students of the Park Ridge - Niles community. The PTOs are parent-teacher organizations established at each of the elementary and middle schools in the District.

Contact:

Andy Duerkop  
aduerkop@d64.org  
Lincoln Middle School  
200 S. Lincoln Ave.  
Park Ridge, IL 60068

###