



# Board of Education Regular Meeting May 18, 2020

## VIRTUAL MEETING INFORMATION

Due to the Covid-19 pandemic, District 64 is continuing to conduct Board of Education meetings online through Zoom. You can connect as an attendee through Zoom via a computer, mobile device, or phone, and you will be able to listen and view the meeting.

While public attendees will be muted, they have the opportunity to email comments which will be read aloud by a Board member during the public comments section of the meeting. Attendees can also click on “Raise Hand” and wait to be called upon during Public Comment. Attendees will have 3 minutes to share.

**Please email public comments to:**

[d64-publiccomments@d64board.org](mailto:d64-publiccomments@d64board.org)

**before (non-agenda items) and during (agenda items) of the online Board meeting.**

### **Attendee Options to Connect:**

- Please click this [link](#) to join the webinar through a computer or mobile device.  
Password: **1AJ4fF**
- iPhone one-tap: **US: +13126266799,,98247109678#,,1#,269920#**
- Telephone: **312 626 6799 US (Chicago)**  
and dial when prompted –  
**Meeting ID: 982 4710 9678**  
**Password: 269920**

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### **Notes for online Board of Education meetings through Zoom:**

- Attendees will be muted by default when calling or logging in to the Zoom meeting. The meeting will be in “listen only” mode. Attendees can click on “Raise Hand” and wait to be called upon during Public Comment. Attendees will have 3 minutes to share.
- During the Public Comment portions, the Administrative Assistant to the Superintendent will read the emails that have been sent to [d64-publiccomments@d64board.org](mailto:d64-publiccomments@d64board.org)
- The District will make every effort to post recorded online Board meetings afterwards.

Inspire every child to



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

Regular Board Meeting Agenda  
Monday, May 18, 2020

VIRTUAL MEETING

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

**5:30 p.m. Meeting of the Board Convenes**

- Roll Call

**Board Recesses and Adjourns to Closed Meeting**

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

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

**Pledge of Allegiance**

**Opening Remarks from President of the Board**

**Public Comments**

**A-1 Approval of Meeting Agenda**

--Board President

The Board reserves the right to review the agenda at the beginning of each meeting and request additions, amendments, or deletions prior to approval.

- A-2 Recognition of Tenured Teachers**  
--Assistant Superintendent for Human Resources
- A-3 Elementary Learning Foundation (ELF) Grant Awards**  
--Superintendent/ELF Chairperson Mike Schaab
- A-4 PT3 Board Update**  
--Director of Student Services
- A-5 Technology Equipment Purchases**  
--Director of Innovation and Instructional Technology **Action Item 20-05-1**
- A-6 First Reading of Policies from PRESS Memo 103**  
--Superintendent
- A-7 Approval of Recommended Personnel Report**  
--Board President **Action Item 20-05-2**
- A- 8 Consent Agenda**  
--Board President **Action Item 20-05-3**
- Bills, Payroll and Benefits
  - Approval of Financial Update for the Period Ending April 30, 2020
  - Second Reading and Approval of Policy 2:230
  - Destruction of Audio Closed Recordings (None)
- A-9 Approval of Minutes**  
--Board President **Action Item 20-05-4**
- April 20, 2020 - Closed Meeting
  - April 20, 2020 - Regular Meeting
  - April 27, 2020 - Closed Meeting
  - April 27, 2020 - Special Meeting
- A-10 Other Discussion and Items of Information**  
--Superintendent
- Upcoming Agenda for June 22, 2020
  - FOIA requests (None)
  - Memoranda of Information:
    - Health Insurance Rates
    - Committee-of-the-Whole Meeting Dates 2020-21
  - Minutes of Board Committees: Board Policy Committee April 23, 2020
  - Enrollment Update
- A-11 New Business**
- Adjournment**

Next Meeting: **Monday, June 22, 2020**  
Regular Meeting - 7:00 p.m.  
**Jefferson School - Multipurpose Room**  
8200 Greendale Avenue  
Niles, IL 60714

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

Approval of Meeting Agenda

The Board reserves the right to review the agenda at the beginning of each meeting and request additions, amendments, or deletions prior to approval.

To: Board of Education  
 Dr. Eric Olson, Superintendent

From: Joel T. Martin, Assistant Superintendent for Human Resources

Date: March 16, 2020

Subject: Recognition of Tenured Teachers

Each school year the Human Resources department recognizes certified staff who are to receive tenure in District 64. Tenure is earned by staff members who complete their fourth year of full-time teaching in the District and move into their fifth year. During years one through four in the District all full-time teachers are considered probationary teachers and per school code have a much more intensive evaluation process, with double the formal observations and are subject to possible non-renewals. It is during this four-year period that school districts are to make determinations on whether they want to commit to having these teachers as part of the District 64 staff for years to come.

The administration each year in May recognizes those teachers who successfully complete four years of probationary teaching in District 64 and move to tenure status at the start of their fifth year.

### **Teacher Tenure List 2019-20**

Kathryn Balogi	Field Elementary School
Caitline Cooney	Washington Elementary School
Evelyn Dobrydnio	Emerson Middle School
Kerry Downes – Columbia	Washington Elementary School
Kathleen Graham	Field Elementary School
Jillian Gronwick	Lincoln Middle School
Amber Laureano	Washington Elementary School
Ashley Lichter	Jefferson Elementary School
Robert Rasmussen	Franklin Elementary School
Amy Rooney	Jefferson Pre-school
Alex Teater	Emerson Middle School



**DISTRICT 64 ELEMENTARY LEARNING FOUNDATION  
2020 – 2021 GRANTS**

*Since 1994, ELF has established and supported innovative educational programs by awarding grants to teachers and staff who are committed to excellence in education. This year, more than \$21,300 in grants will be awarded to District 64 schools, advancing ELF's total direct grants to over \$835,800!*

***Digital Music As Assistive Technology***

**Carpenter Elementary School**

On the accessibility side of things, there is no other instrument or adaptive technology available that does what the Sphero Specdrums can do to make instruments accessible to all students. There are students who would benefit from adaptive technology that addresses more than just physical/gross motor/fine motor issues. This allows a student with special needs to participate fully and much more independently in music class by making the same music other students are making. Outside the music classroom, students in Maker Club could have access to Specdrums for composing and performing music in groups, and classroom teachers could incorporate coding and sequencing skills into mathematics lessons and enrichment activities.

***PAWS To Read Library***

**Carpenter Elementary School**

“Paws” to Read is a project designed to give Intervention students easy access to a variety of books at their “just right” reading level for at home reading. With busy schedules, we want students to take the time to read high interest books to achieve their reading goals, but also have access to a variety of genres and text types so they can continue to enjoy books that are of interest to them. The project would create a “Paws” to Read Library of fiction and nonfiction books for the K-5 students in Intervention, which will contain numerous titles for students to select from. When students visit the “Paws” to Read Library, they will be able to select books as long as they exchange good quality books; so for each book selected, one will need to be exchanged. The “PAWS” to Read Library will give students the opportunity to select books they can read at home so they can continue to build their reading skills and develop a “love” for reading quality literature.

***Thematic Coding Kits***

**Field Elementary School**

This project aims to promote computational thinking, multi-age coding opportunities, and college/career readiness skills through unique hands on learning experiences. Kano Coding Kits, when implemented in the classrooms and innovation station, will complement our future-ready curriculum and teach students in a way that is simple for beginners, and expansive for experts. The objective is to not only create future-ready students by teaching them 21st century technology skills, but also to re-ignite their passions in literacy and math by pairing the coding activities with books and using them to support current math standards. Because the Kano Coding Kits have themes that not only captivate student interest (Harry Potter, Star Wars, and Frozen) but also have physical book/literacy tie-ins where students and teachers can read, talk about characters, motivations, and plot, it is easier to naturally incorporate the coding lessons.



### ***Mud Kitchen***

### **Jefferson School**

A mud kitchen at Jefferson would allow for daily opportunities for our children to interact with nature, while allowing for creative expression, strengthening fine motor development, and encouraging social-emotional and language development as children work together collaboratively. Mud is a great medium to teach our early learners about math and science by comparing and measuring. Children can increase their language development by describing their mud creations and describing the way the mud feels in their hands. Social-emotional development is encouraged by sharing, taking turns, and manipulating materials in the kitchen. And children are encouraged to explore and get messy! We also plan to reach out to the maintenance department of District 64, Village of Niles, and City of Park Ridge in search of tree rings/slices to create a walking trail as well as tree stumps to be used as natural “chairs” for children and staff.

### ***School Anxiety/Avoidance***

### **Lincoln Middle School**

Our larger goals, as a Lincoln Education/Guidance Office Team, are to cut down on student absences, teach students coping skills that can be used in and out of school, empower teachers and staff to respond to student anxieties and needs, as well as programming to educate parents on how to address student anxiety and school avoidance. We also would like to develop some professional development, including best-practice. This grant will help build a number of supports for students experiencing anxiety that affects their school attendance/school avoidance. Three tiers will be developed, including a school-based team to identify students at risk, an elective class with a curriculum to increase coping/resiliency skills, and collaboration with professionals at Rush Neurobehavioral Institute.

### ***World Music Drumming***

### **Carpenter, Field, Franklin, Roosevelt, and Washington Schools**

Incorporating World Music Drumming into the musical experiences provided to 3rd through 5th Grade students would enhance their elementary music experience. This curriculum would provide musical benefits as well as social-emotional benefits for our students. The objectives of this project are:

- 1) Grow students’ musical abilities through practicing rhythms as they perform the World Music Drumming ensemble pieces, and
- 2) Strengthen the classroom community through learning and performing World Music Drumming ensemble pieces, which inherently requires teamwork, cooperation, patience, and respect in order for students to succeed.

***TO CONTRIBUTE, VOLUNTEER, OR LEARN MORE ABOUT ELF, VISIT [WWW.DISTRICT64ELF.ORG](http://WWW.DISTRICT64ELF.ORG).***



To: Board of Education  
Dr. Eric Olson, Superintendent  
From: Dr. Lea Anne Frost, Director of Student Services  
Date: May 18, 2020  
Re: PT3 Board Update

### Background

In the spring of 2018, D64 created a parent and staff group, naming it *Parents and Teachers Talking Together* or PT3. Initially, this group worked together to define features and issues related to improving the in-district special education programs and services. They further structured the group to consist of five smaller sub-groups: curriculum, staff training, district, students, and parent training.

In the fall of 2018, PT3 members concentrated on organizing the group by building relationships, establishing a PACT (Positively Addressing Challenges Together) and creating a purpose. In the spring of 2019, subgroups began working together on a monthly basis addressing activities. At the end of the school year, the group had:

- Created a mission statement for Special Education
- Constructed a parent survey in which the results were shared with the Board at the July 2019 Board meeting, and
- Created a professional development needs assessment, as required by IDEA, that was sent to every D64 employee. This information was compiled and reviewed for the planning of professional development training this school year.

### PT3 Update

PT3 has met on eight occasions this school year: September 24, October 23, November 6, December 3, January 14, February 13, March 11, and May 13.

Our September 24 meeting served as a means to welcome new members, discuss the various groups and their roles (PT3, All Abilities, and the Special Education Board Committee), review the structure of PT3 and consider additional components (sub-group facilitators, public forum, and use of the audit). The group also met within their sub-groups to begin determining activities for the upcoming year.

Based upon information and comments gathered at the September 24 meeting, our October 23 meeting focused on the audit. Specifically, a chart was reviewed that contained the LMT and Padavic recommendations and its alignment to the findings reported to the Board. This chart also

contained progress in the department as noted from the July 2019 End-of-the-Year report and items to continue to address.

The November 6 meeting focused on work the group wanted to achieve this year. It was determined that PT3 would concentrate on developing parent education training and resources, stakeholder communications, and aspects related to increasing the district's continuum of services for students with special needs. The group worked on identifying points to consider in expanding its continuum of services by conversing on aspects that need to be in place, items that need to be built, and a process to communicate the plan and ideas to stakeholders.

On December 3, the meeting began by introducing new members to the group as we are continuously trying to ensure each building maintains parent and staff representation. This meeting focused entirely on the continuum of services. A review of the district's current continuum of services was presented and discussed at length in small and large groups.

The January 14 meeting continued to focus on the three priorities the group set in November. Work began on developing the parent education and stakeholder communication components. The continuum of services component was addressed by reviewing program models as well as reviewing the programs offered by District 62, 63, and 207.

The February 13 meeting focused on the continuum of services. We had two speakers present - Mr. Tom Fisher who discussed the experience of a parent who has a student in outplacement and staff who reported on the former D64 STRIVE program.

Our March 11 meeting highlighted the Structured Learning Community (SLC) program proposal. A presentation was provided (which became the iMovie) as well as a question/answer opportunity. PT3 members were also able to meet within the two additional priority groups of parent education and stakeholder communication.

Our May 13 meeting allowed members to work on either the parent education or stakeholder communication priority groups. Each group had prepared a list of activities for members to address to correspond with the needs.

At the board meeting, a staff and parent representative will also provide a report.

To: Dr. Eric Olson, Superintendent  
Board of Education

From: Mary Jane Warden, Director of Innovation and Instructional Technology  
Dr. Lori Lopez, Assistant Superintendent for Student Learning  
Luann Kolstad, Chief School Business Official

Date: May 18, 2020

Re: Technology Equipment Purchases

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In the effort to plan ahead for the 2020-2021 school year, the District would like to recommend the expansion of the 1:1 Digital Learning Program to support kindergarten through 2nd grade. This would enable three important factors to enhance the learning environment in the primary grades as well as increase the District's ability to move more equitably from in-person learning to remote learning in the event of another pandemic outbreak or other emergency situations.

### **1. Technology Access as Standard**

Over the past two years, the primary grade teachers have been exploring a 1:1 learning environment as it relates to our young learners. The teachers have been sharing computers stored in charging carts with greater frequency to help support innovative ways of increasing student capacity for learning.

Furthermore, expanding 1:1 access to K-2 students alleviates the need for families to share devices or to acquire additional devices on their own. While the District has been able to loan devices when sharing became an obstacle or "extra" devices weren't available in the home, we do not currently own enough devices to do this for more than a limited number of families.

### **2. Technology Integration as Practice**

With increased access to technology for students, teachers would be able to more effectively integrate technology, both in school and in a remote learning setting. We would be moving from a model of using technology in centers (where groups of students rotate to use technology) to a setting where students would have their own devices. Many of the 2nd-grade classrooms were incorporating the use of the Chromebooks on the shared carts to facilitate learning activities. Grade 2 also has been participating in assessments like NWEA as benchmark data to track growth.

### **3. Technology Management as Continuous**

During the 2018-2019 school year, TIC (Technology Integration Committee) explored learning management systems (or LMS) and recommended Schoology to enhance teaching and learning. With Schoology, students would have a daily plan for learning that teachers set up in a consistent place across all courses of study. Furthermore, access to resources like textbooks, media, and video conferencing would be standardized and streamlined to one digital hub. Furthermore, parents would also have standardized private access into each of their student's assignments and learning activities. All this is a tremendous benefit to the student learning process – both in-person and remotely – as it creates consistency across subject areas and grade levels.

### **Budgetary Impact and Long-Term Planning**

The District's proposal would expand the current 1:1 Digital Learning Program in two ways: 1) provide iPads for all 1st grade and kindergarten students, and 2) provide Chromebooks for all 2nd grade. All

devices would be housed in classrooms and not be taken home on a daily basis. In the event of a remote learning or emergency situation, the devices would then be sent home with students at that time.

To supplant this expansion, the entire fleet of iPads currently in grades 1 and 2 would be reassigned to kindergarten. The district would then invest in the purchase of iPads for Grade 1 highlighted in blue in the charts below. This investment includes device management licenses, cases, and secure charging carts. All of the iPad purchases are being paid for through the annual budget process as outlined in Figure 2. The iPads would be maintained on a 4-year refresh cycle. These purchases of equipment for 1st grade are in the 2020-21 technology budget and will be paid for by the District.

The 1:1 expansion for 2nd grade would be a one-time investment for this coming school year through the federal CARES funding (see below for further explanation of CARES) as highlighted in yellow in Figures 1 and 2. This is a one-time receipt of funds to help cover needs that were identified during the current COVID-19 crisis. Thereafter, the refresh cycle would then be adjusted to begin in grade 2 as opposed to grade 3 as it is currently which means that this expense going forward would already be incorporated into the operational technology budget for the 1:1 Digital Learning Program.

#### INITIAL INVESTMENT BREAKDOWN (Figure 1)

	Kindergarten	Grade 1		Grade 2
iPads (600)	--	\$ 237,000.00	Chromebooks (550)	\$ 161,150.00
Cases (600)	--	\$ 18,000.00	Cases (550)	\$ 15,400.00
Management Licensing	--	\$ 10,000.00	Management Licensing	\$ 13,200.00
Charging Storage Carts	\$ 22,000.00	--	Charging Storage Carts	\$ 22,000.00
<b>TOTAL</b>	<b>\$ 287,000.00</b>		<b>TOTAL</b>	<b>\$ 211,750.00</b>

#### PROJECTED DEVICE EXPENDITURE FOR 1:1 DIGITAL LEARNING PROGRAM K-8 (Figure 2)

	2020-21	2021-22	2022-23	2023-24	2024-25
Kdg/GR1	<b>\$ 287,000.00</b>		\$ 265,000.00		\$ 265,000.00
GR2	<b>\$ 211,750.00</b>	\$ 189,750.00	\$ 189,750.00	\$ 189,750.00	\$ 189,750.00
GR3	\$ 189,750.00				
GR6	\$ 189,750.00	\$ 189,750.00	\$ 189,750.00	\$ 189,750.00	\$ 189,750.00
<b>TOTAL</b>	<b>\$ 878,250.00</b>	<b>\$ 379,500.00</b>	<b>\$ 644,500.00</b>	<b>\$ 379,500.00</b>	<b>\$ 644,500.00</b>

With this timely move to a 1:1 digital learning environment, all students would have ready access to their own devices in the event of any learning situation that might present itself. All grade-level teams would

be poised to streamline technology integration and access to digital resources on a routine basis as well as approach the curriculum with a more equitable delivery of instruction.

**Coronavirus Aid, Relief, and Economic Security Act (CARES) *Elementary and Secondary School Emergency Relief Fund - Sec. 18003***

The President signed the CARES Act into law on March 27, 2020. The purpose of the CARES Act is to provide states with funding to prevent, prepare for, and respond to the coronavirus threat. One of the specific uses of the funds is for technology for online learning between all students and classroom teachers (including hardware, software, and connectivity). The amount of funds allocated to a Local Education Agency (LEA) is based on their allocation under Title I, Part A for the 2019-20 fiscal year. District 64's initial estimate is \$171K based on our Title I allocation for the 2019-20 school year.

ACTION ITEM 20-05-1

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the purchase of technology equipment to expand the 1:1 Digital Learning Program into kindergarten through 2nd grade.

The votes were cast as follows:

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

AYES:

NAYS:

PRESENT:

ABSENT:

**First Reading of Policies from PRESS Issue 103**

<b>Policy</b>	<b>Issue</b>	<b>Title</b>	<b>District Policy Committee 04/16/20 Change/No Change</b>	<b>Board Policy Committee 04/23/20 Change/No Change</b>	<b>Board Meeting 05/18/20 Change/No Change</b>
2:125	103	Board Member Compensation; Expenses	N/C	N/C	
2:160	103	Board Attorney	N/C	N/C	
4:50	103	Payment Procedures	N/C	N/C	
5:35	103	Compliance with the Fair Labor Standards Act	N/C	N/C	
5:50	103	Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition	N/C	N/C	
5:60	103	Expenses	N/C	N/C	
5:150	103	Personnel Records	N/C	N/C	
5:210	103	Resignations	N/C	N/C	
5:280	103	Duties & Qualifications	N/C	N/C	
6:135	103	Accelerated Placement Program	N/C	N/C	
6:235	103	Access to Electronic Networks	N/C	N/C	
6:280	103	Grading & Promotion	N/C	N/C	
7:70	103	Attendance & Truancy	N/C	N/C	

7:90	103	Release during School Hours	N/C	N/C	
7:130	103	Student Rights & Responsibilities	N/C	N/C	
7:325	103	Student Fundraising Activities	N/C	N/C	
8:10	103	Connection with the Community	N/C	N/C	
8:30	103	Visitors to and Conduct on School Property	N/C	N/C	
8:80	103	Gifts to the District	N/C	N/C	
8:110	103	Public Suggestions and Concerns	N/C	N/C	

## School Board

### Board Member Compensation; Expenses 1

#### Board Member Compensation Prohibited 2

School Board members provide volunteer service to the community and may not receive compensation for services, except that a Board member serving as the Board Secretary may be paid an amount up to the statutory limit if the Board so provides.

#### Roll Call Vote 3

All Board member expense requests for travel, meals, and/or lodging must be approved by roll call vote at an open meeting of the Board.

#### Regulation of School District Expenses 4

The Board regulates the reimbursement of all travel, meal, and lodging expenses in the District by resolution.<sup>5</sup> No later than approval of the annual budget and when necessary,<sup>6</sup> the Superintendent will

*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 5/10-9, 5/10-10 and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); ~~and the Local Government Travel Expense Control Act (ECA), 50 ILCS 150/10, added by P.A. 99-604, eff. 1-1-17 (regulation of travel expenses); and the Grant Accountability and Transparency Act, 30 ILCS 708/130 (regulation of travel expenses under grants).~~ ~~The deadline for implementation of this policy under the ECA is 7-1-17, but as a practical matter, see the third paragraph of f/n 3, below.~~

<sup>2</sup> The legal limit for board secretary compensation is \$500. ~~(105 ILCS 5/10-14).~~

<sup>3</sup> 50 ILCS 150/15, ~~added by P.A. 99-604, eff. 1-1-17.~~ 105 ILCS 5/10-7 also states, "[o]n all questions involving the expenditure of money, the yeas and nays shall be taken and entered on the records of the proceedings of the board," i.e., a roll call vote.

Although the School Code has always required a roll call vote on public expenditures, ~~on and after 60 days after the effective date of the ECA requires,~~ a roll call vote ~~will also be required~~ for any:

1. Officer or employee of the board that exceeds the *maximum allowable reimbursement amount* (MARA) set by the board in its resolution to regulate expenses, ~~and or~~
2. Board member (50 ILCS 150/15, ~~added by P.A. 99-604, eff. 1-1-17).~~

~~A majority of school law firms agree that the "on or after 60 days" date discussed in the paragraph above is 3-2-17. Some school law firms will use the date 3-1-17. There is also a policy component deadline "[o]n and after 180 days after the effective date of [the ECA]." That date is 6-30-17. Many school law firms opine that, as a practical matter, boards should complete both the MARA and policy requirements of the ECA by late Feb. 2017 and no later than 3-1-17. Consult the board attorney about these dates. See f/n 13, below, for more discussion about amending or adopting another resolution when expenses exceed the MARA required by the ECA.~~

<sup>4</sup> 50 ILCS 150/10, ~~added by P.A. 99-604, eff. 1-1-17~~ requires boards to regulate the reimbursement of expenses by *resolution or ordinance*. Unlike like the powers granted by the Ill. General Assembly to municipalities to pass ordinances, school boards govern by rules referred to as *policies*. ~~(105 ILCS 5/10-20.5).~~ Further, school boards may only exercise powers given to them that are consistent with the School Code that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board. ~~(105 ILCS 5/10-20).~~ Therefore, to effectuate the intent of the ECA's requirement to *regulate* expenses with an ordinance or resolution and stay within the confines of the School Code and best practice (minimize liability while aligning with the IASB "Foundational Principles of Effective Governance"), the language in this subhead:

1. Retains with the board its duty to *regulate* expenses through policy with a reference to a resolution that will define and set the types of allowable expenses in the district through the adoption of board policies 2:125, *Board Member Compensation; Expenses*, and 5:60, *Expenses* (105 ILCS 5/10-20)(see f/n 5, below);
2. Delegates to the superintendent the duty to recommend an appropriate MARA to the board for adoption in its resolution to regulate expenses (see f/n 7, below).



recommend a maximum allowable reimbursement amount for expenses to be included in the resolution.<sup>7</sup> The recommended amount should be based upon the District's budget and other financial considerations.<sup>8</sup>

Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the Board member,<sup>9</sup> (2) anyone's personal expenses,<sup>10</sup> or (3) entertainment expenses.<sup>11</sup> Entertainment includes, but is not limited to, shows, amusements, theaters, circuses,

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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. For a sample resolution, see 2:125-E3, *Resolution to Regulate Expense Reimbursements*. Consult the board attorney about how often the board should adopt or revisit its resolution (see f/ns 6 and 8, below). For discussion about setting an annual time of year to adopt the resolution, see f/n 6, below.

<sup>6</sup> 50 ILCS 150/10, ~~added by P.A. 99-604, eff. 1-1-17~~ allows boards to determine this timeline locally.

While the ECA does not require boards to adopt an *annual* resolution to regulate expenses, an annual review provides a way for the board to monitor this policy's implementation and its duties under the ECA and policy 2:240, *Board Policy Development*.

This sample policy uses "No later than approval of the annual budget" to align with 105 ILCS 5/17-1 (annual budget adoption within the first quarter of each fiscal year). -The words *and when necessary* allow for flexibility in situations discussed in f/n 13, below (*emergency and/or an extraordinary circumstance*).

Consider consulting the board's auditors to assist with this decision. Other options for the timing of when boards should set the MARA include:

1. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each fiscal year"
2. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each school year"
3. Deleting ~~No later than approval of the annual budget~~ and replacing it with "At the start of each calendar year"  
or
4. Deleting "~~No later than approval of the annual budget~~" and replacing it with "When presenting the proposed budget"

<sup>7</sup> For practical purposes, this duty is delegated to the superintendent because:

1. The School Code:
  - a. Allows the board to delegate duties to the superintendent (105 ILCS 5/10-16.7), and
  - b. Assigns to the superintendent the duty to make recommendations to the board concerning the budget (105 ILCS 5/10-21.4); and
2. The MARA should be based upon a district's financial resources and other considerations important to the local district.

<sup>8</sup> The ECA does not define MARA or how to determine it (see the first sentence of f/n 6, above). The board and superintendent should have a conversation that addresses at minimum the following topics:

1. Should the superintendent use and refer to line items from the current budget?
2. Would the board set per diems or set a very large number for the board and/or all of the district employees – both have their advantages and disadvantages.
3. Should the board categorize MARA by activity?
4. Will it categorize by individual responsibilities to the district or job titles/classes?
5. Should there be an amount category for each type of travel: airfare, train, automobile, taxi, etc.?
6. Will there be a special category for recurring and/or required training opportunities for teachers and board members?

These choices will depend upon many factors, including the budget, perhaps an auditor's recommendation, the community's preferences, and advice from the board attorney.

Amend the language throughout this subhead and in the fourth WHEREAS paragraph in 2:125-E3, *Resolution to Regulate Expense Reimbursements*, to reflect local preferences. Consider that inserting the actual MARA into the policy would likely require more formal continual policy updates as opposed to amending the resolution if a board needs to increase its MARA for any reason. For example, see the discussion in f/n 13, below.

<sup>9</sup> 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses from being advanced or reimbursed to any person other than a board member or employee of the district.

<sup>10</sup> Optional. *Personal expenses* are not defined in 50 ILCS 150/25, ~~added by P.A. 99-604, eff. 1-1-17~~ or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State's widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

<sup>11</sup> 50 ILCS 150/25, ~~added by P.A. 99-604, eff. 1-1-17~~.

sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event. <sup>12</sup>

#### Exceeding the Maximum Allowable Reimbursement Amount(s)

All requests for expense advancements, reimbursements, and/or purchase orders that exceed the maximum allowable reimbursement amount set by the Board may only be approved by it when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting. <sup>13</sup>

#### Advancements

The Board may advance to its members actual and necessary expenses to be incurred while attending:<sup>14</sup>

1. Meetings sponsored by the Illinois State Board of Education or by the Regional Superintendent of Schools; <sup>15</sup>
2. County or regional meetings and the annual meeting sponsored by any school board association complying with Article 23 of the School Code; and
3. Meetings sponsored by a national organization in the field of public school education.

Expense advancement requests must be submitted to the Superintendent or designee on the Board's standardized estimated expense approval form. After spending expense advancements, Board members must use the Board's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. A Board member must return to the District any portion of an

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<sup>12</sup> *Id.*

<sup>13</sup> 50 ILCS 150/10 and 15, added by P.A. 99-604, eff. 1-1-17. A board may need to revisit its resolution to regulate expenses more often than annually if (a) an expense reimbursement amount exceeds the MARA set in the board's resolution, and (b) an *emergency* or an *extraordinary circumstance* does not exist. Consult the board attorney in these circumstances to determine whether the board may need to revisit and amend its resolution to increase the MARA before approving the expenses exceeding it.

*Emergency* or an *extraordinary circumstance* is not defined by the ECA, but these terms are meant to allow boards flexibility when expenses exceed the MARA. Yet approving expense reimbursement requests that exceed the MARA as *emergencies* or *extraordinary circumstances* when the board or superintendent "did not plan well" or "an organization's conference fees went up more than expected this year after the board adopted its resolution," may open the board to public relations and other legal challenges. See *Laukhuf v. Board of Education*, 2003 WL 23936148 (Ill.Cir. 2003)(addressing what constitutes an *emergency* in the context of the Open Meetings Act ([OMA](#))(5 ILCS 120/), which similar to the ECA, also does not define the term, and holding an emergency meeting to cure a situation that a school board created itself is not an emergency within the confines of OMA).

While the ECA does not provide for specific legal penalties for the wrongful approval of expenses, it is not clear whether a court may find in circumstances of poor MARA planning, that an *emergency* or *extraordinary circumstance* under the ECA did not exist and grant relief requested by a challenger as allowed under State law.

<sup>14</sup> 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This advancement language pre-dates the ECA and is narrower than the ECA. A reasonable interpretation is that the MARA required in the ECA would apply to any advancement amount. This policy seeks to reconcile and highlight the differences between the School Code and the ECA requirements by separating School Code advancements into a separate subhead from ECA reimbursements (estimated and actual). For more distinctions between these laws and further discussion, see f/n 20, below.

<sup>15</sup> Use this alternative for districts in suburban Cook County: replace "Regional Superintendent of Schools" with "appropriate Intermediate Service Center." [The Ill. Gen. Assembly abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.](#)

expense advancement not used.<sup>16</sup> If an expense advancement is not requested, expense reimbursements may be issued by the Board to its members for the activities listed in numbers one through three, above, along with registration fees or tuition for a course(s) that allowed compliance with the mandatory trainings described in policy 2:120, *Board Member Development* and other professional development opportunities that are encouraged by the School Code (see the **Reimbursements and Purchase Orders** subhead, below).<sup>17</sup> Expense advancements and vouchers shall be presented to the Board in its regular bill process.

### Reimbursements and Purchase Orders

Expense reimbursement is not guaranteed and, when possible, Board members should seek pre-approval of expenses<sup>18</sup> by providing an estimation of expenses on the Board's standardized estimated expense approval form, except in situations when the expense is diminutive. When pre-approval is not sought, Board members must seek reimbursement on the Board's standardized expense reimbursement form. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

### Credit and Procurement Cards <sup>19</sup>

Credit and procurement cards shall not be issued to Board members.

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<sup>16</sup> 105 ILCS 5/10-22.32 requires the return of excess advancements that are issued.

<sup>17</sup> Boards have this power under 105 ILCS 5/10-20; this statute specifies that the grant of powers to school boards is not exclusive and that school boards may exercise other powers that are not inconsistent with duties. A board may expand this provision's scope by amending and adding to the sentence as follows:

"~~and~~ other professional development opportunities that are encouraged by the School Code, and other training provided by one of the entities described in the above list."

See also f/n 8 in policy 2:120, *Board Member Development* for an example of a board member professional development opportunity that is encouraged by the School Code.

<sup>18</sup> Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense *pre-approvals*. 50 ILCS 150/20 states: "an *estimate* if expenses have not been incurred ..." or "a *receipt* ... if the expenses have already been incurred." suggesting no pre-approval is necessary. However, pre-approval is a best practice, and a board member who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements*, reflects the district's specific pre-approval requirements. For an example of a standardized *estimated* expense form that could be used as a form of pre-approval, see 2:125-E2, *Board Member Estimated Expense Approval Form*. The form provides three methods for board members to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

<sup>19</sup> Optional. Consult the board attorney about issuing credit and procurement cards to board members. See f/n 1 of policy 4:55, *Use of Credit and Procurement Cards*.

If in consultation with the board attorney credit and procurement cards will be issued to board members, delete "~~Credit and procurement cards shall not be issued to Board members~~" and insert "Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*."

## Standardized Expense Form(s) Required 20

All requests for expense advancement, reimbursement, and/or purchase orders in the District must be submitted on the appropriate itemized, signed standardized form(s). The form(s) must show the following information:

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and office of the Board member who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants. <sup>21</sup>
3. The date(s) of the official business on which the expense advancement or reimbursement will be or was expended.
4. The nature of the official business conducted when the expense advancement or reimbursement will be or was expended.

## Types of Official Business for Expense Advancements, Reimbursements, and Purchase Orders

1. Registration. When possible, registration fees will be paid by the District in advance.
2. Travel. The least expensive method of travel will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for:
  - a. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. [Fees for the first checked bag will be reimbursed.<sup>22</sup>](#) Copies of airline tickets [and baggage receipts](#) must be attached to the expense form.
  - b. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
  - c. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
  - d. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
  - e. Taxis, airport limousines, [ride sharing](#) or other local transportation costs.
3. Meals. Meals charged to the School District should represent mid-fare selections for the hotel/meeting facility or general area, consistent with the maximum allowable reimbursement

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<sup>20</sup> 50 ILCS 150/20, ~~added by P.A. 99-604, eff. 1-1-17~~. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32). The **PRESS** materials on expenses marry the School Code's advancement voucher requirement into the ECA's requirement for a standardized estimated expense form. For an example, see 2:125-E2, *Board Member Estimated Expense Approval Form*, and 5:60-E2, *Employee Estimated Expense Approval Form*. These forms provide three methods for board members or district employees to submit anticipated/estimated expenses:

1. Providing estimated expenses under 50 ILCS 150/ [\(including for grant-related travel, see f/n 24, below\)](#),
2. Requesting expense advancements for the activities listed under 105 ILCS 5/10-22.32, or
3. Obtaining a purchase order (highly unlikely for anticipated board member expenses but possible).

<sup>21</sup> [50 ILCS 150/20\(2\) ~~Id.~~ at \(2\)](#) and (3).

<sup>22</sup> [Optional. This language reflects the standard for expenses permitted for federal and State grants. 41 C.F.R. §301-12.2. If the board does not reimburse baggage fees, delete this sentence and ~~and baggage receipts~~ from the next sentence.](#)

amount set by the Board.<sup>23</sup> Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

4. Lodging. Board members should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Board members should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.
5. Miscellaneous Expenses. Board members may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

[Additional Requirements for Travel Expenses Charged to Federal and State Grants](#) <sup>24</sup>

[All Board member expenses for travel charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act \(30 ILCS 708/\) must comply with Board policy 5:60, Expenses, and its implementing procedures. Travel expenses include costs for transportation, lodging, meals, and related items.](#)

LEGAL REF.: 105 ILCS 5/10-20 and 5/10-22.32.  
[30 ILCS 708/, Government Accountability and Transparency Act.](#)  
~~[Local Government Travel Expense Control Act, 50 ILCS 150/, Local Government Travel Expense Control Act.](#)~~

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:120 (Board Member Development), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 5:60 (Expenses)

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<sup>23</sup> Alternatively, a board could set a daily limit on meal costs, such as:

Board members will be reimbursed for meal costs and tips up to \$\_\_\_\_\_ per day consistent with the maximum allowable reimbursement amount(s) set by the Board.

But see also f/n 8, above and ensure this amount is consistent with the MARA set by the board resolution.

<sup>24</sup> [Required by 30 ILCS 708/130. See policy 5:60, Expenses, and its f/ns 22-36 for details. Federal travel regulations state that requests for authorization for actual expense reimbursement should be made in advance of travel. 2 C.F.R. §301-11.302. 2:125-E2. Board Member Estimated Expense Approval Form. can be used as a form for pre-approval.](#)

## School Board

### Board Attorney 1

The School Board may ~~enter into agreements for~~ retain legal services with one or more attorneys or law firms to be the Board Attorney(s). The Board Attorney represents the School Board in its capacity as the governing body for the School District. ~~The Board Attorney shall not represent another client if the representation involves a concurrent conflict of interest, unless permitted by the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court.~~<sup>2</sup> The Board Attorney serves on a retainer or other fee arrangement as determined in advance. The Board Attorney will provide services as described in the agreement for legal services or as memorialized by an engagement letter.<sup>3</sup> The District will only pay for legal services that are provided in accordance with the agreement for legal services, as memorialized by an engagement letter, or that are otherwise authorized by this policy or a majority of the Board.

The Superintendent, his or her designee, and Board President, are each authorized to confer with and/or seek the legal advice of the Board Attorney.<sup>4</sup> The Board may also authorize a specific Board member to confer with ~~the Board Attorney legal counsel~~ on its behalf.

The Superintendent may authorize the Board Attorney to represent the District in any legal matter until the Board has an opportunity to be informed of and/or consider the matter.

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

<sup>1</sup> The attorney's selection and duties are totally within the board's discretion – bidding is not required. 105 ILCS 5/10-20.21.

<sup>2</sup> ~~This is a restatement of~~ Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client) of the Ill. Rules of Professional Conduct, at [www.illinoiscourts.gov/supremecourt/rules/art\\_viii/default\\_new.asp](http://www.illinoiscourts.gov/supremecourt/rules/art_viii/default_new.asp). address concurrent conflicts of interest. Board presidents, superintendents, and board attorneys should be prepared to ask potential board attorneys whether they will have the ability to declare that representation of the board and district will be to the exclusion of all other clients having potential conflicts with the board and district's interests. See exhibit 2:160-E, Checklist for Selecting a Board Attorney.

<sup>3</sup> There is no general format for an agreement for legal services or an engagement letter. To help monitor its legal fees, a board should require a written agreement or an engagement letter with the board attorney or law firm that details the services, fees, expenses, and billing format. See ~~Board~~ exhibit 2:160-E, *Checklist for Selecting a Board Attorney*.

Legal services can be spelled out in the policy but boards face the attendant risk of conflicting lists. However, a board desiring such a list can use the following:

The attorney will:

1. Serve as counselor to the Board and attend Board meetings when requested by the Superintendent or Board President;
2. Represent the District in any legal matter as requested by the Board;
3. Provide written opinions on legal questions as requested by the Superintendent or Board President;
4. Approve, prepare, or supervise the preparation of legal documents and instruments and perform such other legal duties as the Board may request; and
5. Be available for telephone consultation.

<sup>4</sup> Depending on the fee arrangement, contacting the board attorney generates fees owed by the district. Thus, to avoid excessive attorney fees, the board ~~should consider~~ needs to limiting individuals who ~~are~~ is authorized to contact the board attorney ~~to avoid excessive attorney fees~~. Additional individuals may be added to this sentence as in the alternative below:

\_\_\_\_\_ The following people are authorized to confer with and/or seek the legal advice of the Board Attorney: Superintendent or designee, Business Manager, District Freedom of Information Officer, Complaint Manager(s), District treasurer, and the Board President.

Individual board members should refrain from discussing their board attorney's advice outside of a board meeting. Disclosing legal advice can waive the attorney-client privilege. Individual board members possess none of the board's powers and are not authorized to individually waive attorney-client privilege on behalf of the board as an entity.

The Board retains the right to consult with or employ other attorneys and to terminate the service of any attorney.

LEGAL REF.: Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client) of the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court.

CROSS REF.: 4:60 (Purchases and Contracts)

Draft

## Operational Services

### Payment Procedures 1

The Treasurer shall prepare a list of all due and payable bills, indicating vendor name and amount, and shall present it to the School Board in advance of the Board’s first regular monthly meeting or, if necessary, a special meeting. These bills are reviewed by the Board, after which they may be approved for payment by Board order.<sup>2</sup> Approval of all bills shall be given by a roll call vote, and the votes shall be recorded in the minutes.<sup>3</sup> The Treasurer shall pay the bills after receiving a Board order or pertinent portions of the Board minutes, even if the minutes are unapproved, provided the order or minutes are signed by the Board President and Secretary, or a majority of the Board. <sup>4</sup>

The Treasurer is authorized, without further Board approval, to pay Social Security taxes, wages, pension contributions, utility bills, and other recurring bills.<sup>5</sup> These disbursements shall be included in the listing of bills presented to the Board.

The Board authorizes the Superintendent or designee to establish revolving funds and a petty cash fund system for school cafeterias, lunchrooms, athletics, or similar purposes, provided such funds are maintained in accordance with Board policy 4:80, *Accounting and Audits*, and remain in the custody of an employee who is properly bonded according to State law. <sup>6</sup>

LEGAL REF.: 105 ILCS 5/8-16, 5/10-7, and 5/10-20.19.  
23 Ill.Admin.Code §100.70.

CROSS REF.: 4:55 (Use of Credit and Procurement Cards), 4:60 (Purchases and Contracts),  
4:80 (Accounting and Audits)

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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>1</sup> State or federal law controls this policy’s content.

<sup>2</sup> 105 ILCS 5/8-16 and 5/10-20.19.

<sup>3</sup> 105 ILCS 5/10-7.

<sup>4</sup> Except for the payment of social security taxes and recurring bills, 105 ILCS 5/8-16 permits the treasurer to “pay out funds of the school district only upon an order of the board signed by the president and clerk or secretary or by a majority of the board.” [105 ILCS 5/10-20.19](#) grants the treasurer authority to pay bills after receipt of “a certified copy of those portions of the board minutes, properly signed by the secretary and president, or a majority of the board.” As minutes are not approved until the following meeting, a literal reading of this statute would result in late payments. The policy uses a pragmatic solution: the treasurer may pay bills upon receiving a board order or minutes, even if the minutes are unapproved, provided the order or minutes are signed by the president and secretary, or a majority of the board.

[The Local Government Prompt Payment Act \(50 ILCS 505/\)](#) governs the timelines for a board’s approval and payment of bills and potential penalties for late payment. [Unless otherwise agreed to between the board and a vendor/contractor, bills must be approved or disapproved within 30 days after receipt of the bill or 30 days after the date on which the goods or services are received, whichever is later, and payment is due within 30 days after the date of approval. 50 ILCS 505/3, 505/4, and 505/6.](#)

<sup>5</sup> 105 ILCS 5/8-16 and 5/10-20.19.

<sup>6</sup> 105 ILCS 5/10-20.19(2); 23 Ill.Admin.Code §100.70.



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## General Personnel

### Compliance with the Fair Labor Standards Act 1

#### Job Classifications

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

#### Workweek and Compensation

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

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

<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, or terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

The Illinois Minimum Wage Law, 820 ILCS 105/4a, covers all school employees, although many are exempt from overtime requirements. The federal Fair Labor Standards Act (FLSA) (29 U.S.C. §201 et seq.) also covers school employees. The law offering the greatest benefits to employees will control specific issues. However, under both State and federal law, non-exempt employees who work over 40 hours in a single workweek are entitled to overtime pay of a rate not less than one and one-half times the employees’ regular rate of pay. 29 U.S.C. §207; 820 ILCS 105/4a.

School districts in several states are experiencing widespread action by non-exempt employees to recoup unpaid overtime wages. Many of these actions have been successful because the school district did not strictly comply with overtime requirements or recordkeeper’s requirements. See 29 C.F.R. Part 785 (Hours Worked) and 29 C.F.R. Part 516, (Records to Be Kept by Employers). The U.S. Dept. of Labor (DOL) frequently finds employees misclassified as independent contractors or exempt employees. School officials are strongly encouraged to seek assistance from their attorney when making decisions involving wage and hour issues.

<sup>2</sup> “Exempt” employees are exempt from overtime requirements. An exempt employee, according to Illinois law, is “any employee employed in a bona fide executive, administrative or professional capacity, . . . , as defined by or covered by the Federal Fair Labor Standards Act of 1938 and the rules adopted under that Act, as both exist on March 30, 2003, but compensated at the amount of salary specified [in the current rules].” 820 ILCS 105/4a. By referring to the definitions in the former federal rules, the Illinois legislature rejected the DOL’s effort to expand the number of employees who are exempt from overtime requirements. To qualify for exemption in Illinois, employees generally must meet certain tests regarding their job duties and be paid on a “salary basis” at not less than \$684455 per week. 29 C.F.R. Part 541. To check compliance, districts should review their list of exempt employees with their attorneys.

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

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

## Overtime

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

## Suspension Without Pay

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

## Implementation <sup>8</sup>

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

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

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

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<sup>5</sup> This policy requires a supervisor's express approval as a best practice. However, employers will also be liable for work time when the employer knows or has reason to know work is continuing on or offsite. See 29 C.F.R. §785.11 and 5:35-AP3, *Compensable Work Time for Non-Exempt Employees Under the FLSA*. Employees must be compensated for all time worked, even if it is unauthorized overtime. However, employees who intentionally work unauthorized overtime may be subject to disciplinary action.

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

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

<sup>8</sup> The FLSA is administered by the Wage and Hour Division of the DOL. Its website contains compliance guidance, posters, and e-tools ([www.dol.gov/WHD/flsa/index.htm](http://www.dol.gov/WHD/flsa/index.htm)).

## General Personnel

### Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition 1

All District workplaces are drug- and alcohol-free workplaces. 2

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1 State or federal law controls this policy’s content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. The Right to Privacy in the Workplace Act (RPWA) allows employers to regulate employees’ use of lawful products that impair an employee’s ability to perform his or her assigned duties. 820 ILCS 55/5(b), amended by P.A. 101-27. The Cannabis Regulation and Tax Act (CRTA), 410 ILCS 705/10-35(a)(8), amended by P.A. 101-593, allows penalties issued by employers of law enforcement officers for consumption, possession, sale, purchase, or delivery of cannabis or cannabis-infused substances while on or off-duty to be collectively bargained; districts that employ school resource officers should consult their board attorneys about this provision of the CRTA.

The federal Drug-Free Workplace Act applies only to the specific programs receiving federal funds. 41 U.S.C. §8101 et seq. For ease of administration, this policy makes its requirements applicable to all employees to avoid confusion during implementation and to avoid complications when obtaining and maintaining federal funds. The ~~Cannabis Regulation and Tax Act (CRTA)~~, 410 ILCS 705/, added by P.A. 101-27 and amended by P.A. 101-593, legalized cannabis, but it remains a *Schedule I* (c)(17) controlled substance under federal law, meaning that it has no currently accepted medical use in addition to a high potential for abuse. 21 U.S.C.A. §812 (exempting hemp as defined at 7 U.S.C.A. §1639o). 41 U.S.C. §§8101, 8102 and 8103. While not law, in June 2019, the U.S. House of Representatives, in a voice vote, voted in favor of an amendment to H.R. 3055, which was introduced by Reps. Earl Blumenauer (D-OR), Tom McClintock (R-CA), and Eleanor Holmes Norton (D-D.C.), prohibiting the U.S. Dept. of Justice (DOJ) from interfering with a state’s decision to implement laws governing the legalization of cannabis (recreational and medicinal). This marked the first time that either branch of the U.S. Congress has voted to protect state recreational cannabis laws from federal enforcement actions. If the amendment becomes law, it would block the DOJ from using funds to intervene in state and territory cannabis legalization laws. This policy continues to prohibit employees from using cannabis as allowed by the CRTA. See f/n 9, below.

The federal Safe and Drug-Free Schools and Communities Act provides funds, upon application, for drug and violence prevention programs; it does not contain policy mandates. Illinois also has a Drug Free Workplace Act (30 ILCS 580/) that applies to districts with 25 or more employees working under a state contract or a grant of \$5,000 or more.

2 Replace this sentence with the district’s drug- and alcohol- free policy goal(s), if any.

With the passage of the CRTA, 410 ILCS 705/, added by P.A. 101-27 and amended by P.A. 101-593, each board and superintendent may wish to engage in a risk-management conversation about the district’s drug- and alcohol- free policy enforcement and discipline goals. Enforcement and discipline goals depend upon a board’s risk-level tolerance and community expectations. Risk-level-tolerance decisions will depend upon many factors, including, but not limited to: (1) the board attorney’s recommendations, (2) the district’s budget parameters, if any, for reasonable suspicion training on identification of symptoms of impairment and/or being under the influence, (3) drug testing, and (4) the community’s expectations. Answers to the following questions might structure this risk-management conversation:

1. Does the board want to implement a reasonable suspicion program (or any other type of *just cause* provisions in an applicable collective bargaining agreement) to identify employees suspected of being impaired and/or under the influence to enhance its ability to discipline?
2. Does the board want the superintendent to secure training for designated district employees to educate them to identify symptoms of impairment or being under the influence of the substances prohibited in this policy?
3. How does the board want to address employees in positions of leadership, e.g., the superintendent and/or building principal(s), who are perpetually on call due to the nature of their positions and responsibilities (see f/n 3, below)?
4. How will the district manage its duty to educate students about the dangers of drugs and alcohol against the reality that employees are allowed to use lawful products off-duty and off the district’s premises (820 ILCS 55/5(b), amended by P.A. 101-27)?
5. Will licensed educators be held to a higher standard than non-licensed employees due to their professional code of conduct expectations?
6. Will employees working directly with students be held to a higher standard than employees not working directly with students?

All employees are prohibited from engaging in any of the following activities while on District premises or while performing work or being *on call*<sup>3</sup> for the District: **4**

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance. **5**
2. Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage; being present on District premises or while performing work for the District when alcohol consumption is detectable, regardless of when and/or where the use occurred. **6**
3. Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis; being present on District premises or while performing work for the District when impaired by or under the influence of cannabis, regardless of when and/or where the use occurred, unless distribution, possession, and/or use is by a school nurse or school administrator pursuant to *Ashley's Law*, 105 ILCS 5/22-33.<sup>7</sup> The District considers

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<sup>3</sup> An employee is *on call* when the employer schedules him or her with at least 24 hours' notice to be on standby or otherwise responsible for performing employment-related tasks either at the employer's location or another previously-designated location. 820 ILCS 55/5, amended by P.A. 101-27. Consult the board attorney regarding how the board wants to treat employees who may be considered on call, e.g., superintendents, principals, coaches, and/or maintenance workers, etc.

For boards that do not want this text, delete ~~or being on call~~.

<sup>4</sup> To align with best practices for identifying and subsequently initiating discipline of employees for violating this policy (especially with the passage of the CRTA) and any possible collective bargaining agreement provisions, the superintendent may want to convene the **Employee Substance Abuse Prevention Committee** (see 2:150-AP, *Superintendent Committees*).

<sup>5</sup> These actions are prohibited by both federal (41 U.S.C.A. §§8101, 8102 and 8103) and State Workplace Acts. See f/n 12, below. These laws do not address *under the influence* but a board may add: “, or being impaired by or under the influence of any illegal substance or any detectible use of any illegal substance regardless of when or where the use occurred.” This option is limited to *illegal* substances to avoid prohibiting employees from using lawfully prescribed controlled substances. See f/n 12. Contact the board attorney for advice concerning this provision and whenever the district wants to discipline or dismiss an employee using it. If a hearing is required before the district may discipline or discharge an employee under this provision, the district must put forth evidence that the employee violated it. A district would also have this burden if a grievance is filed under a *just cause* provision in a collective bargaining agreement. This policy's ~~third~~ paragraph addresses prescribed medications other than cannabis.

<sup>6</sup> Optional; alcohol is not addressed in either the federal or State Drug-Free Workplace Acts. Contact the board attorney for advice concerning this provision and whenever the district wants to discipline or dismiss an employee using it. If a hearing is required before the district may discipline or discharge an employee under this provision, the district must put forth evidence that the employee violated it. A district would also have this burden if a grievance is filed under a *just cause* provision in a collective bargaining agreement. The Ill. Court of Appeals held that when the policy defines *under the influence* as any “mental, emotional, sensory or physical **impairment** due to the use of drugs or alcohol,” the school district must prove that the teacher showed signs of impairment even though she registered 0.056 blood-alcohol level on a Breathalyzer. *Kinsella v. Bd. of Ed. of the City of Chicago*, 27 N.E.3d 226 (Ill.App.1st, 2015).

<sup>7</sup> “[R]egardless of when and/or where the use occurred” is intended to mean that an employer may reach an employee's conduct on or off-duty depending upon the facts of the disciplinary situation; however, the CRTA contains a specific requirement that law enforcement employers adopt a policy outlining penalties for discipline of law enforcement employees for their on or off-duty conduct involving consumption, possession, sale, purchase, or delivery of cannabis or cannabis-infused substances. *Id.* at 10-35(a)(8), amended by P.A. 101-593. See also f/ns 1, above, and 9, below. Consult the board attorney if the district employs a school resource officer(s) (SRO(s)) as opposed to contracting with a local law enforcement agency for SRO services.

410 ILCS 130/25(b) prohibits discipline or arrest of school nurses and/or administrators for acting in accordance with *Ashley's Law*, 105 ILCS 5/22-33, amended by P.A. 101-370, ~~eff. 1-1-20~~. Employers may enforce drug-free workplace policies when they are applied in a nondiscriminatory manner. 410 ILCS 705/10-50(a), added by P.A. 101-27, includes disciplining employees – even those who are ~~a-registered qualifying patients~~ – for violating ~~a-~~drug-free workplace policies (410 ILCS 130/50 and 705/10-35(a)(1), added by P.A. 101-27). Contact the board attorney for advice concerning the Compassionate Use of Medical Cannabis Program Act (Medical Cannabis Program Act (MCPA)).



employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests the specific articulable symptoms<sup>8</sup> listed in the Cannabis Regulation and Tax Act (CRTA).<sup>9</sup>

For purposes of this policy, a controlled substance means a substance that is:

1. Not legally obtainable,
2. Being used in a manner different than prescribed,
3. Legally obtainable, but has not been legally obtained, or
4. Referenced in federal or State controlled substance acts.

For purposes of this policy, *District premises*<sup>10</sup> means workplace as defined in the CRTA in addition to District and school buildings, grounds, and parking areas; vehicles used for school purposes; and

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<sup>8</sup> Specific articulable symptoms listed in 410 ILCS 705/10-50(d), added by P.A. 101-27, include: the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a production or manufacturing process; or carelessness that results in any injury to the employee or others. In contrast to the CRTA, the MCPA, while listing the same specific, articulable, symptoms, does not require an employer to have a *good faith belief* that a *registered qualifying patient* is under the influence of cannabis. 410 ILCS 130/50(f), and scheduled to be repealed on 7-1-20.

<sup>9</sup> 410 ILCS 705/10-35 and 10-50(a), added by P.A. 101-27 allows reasonable, nondiscriminatory, zero-tolerance policies. If the district seeks to discipline an employee on the basis that he or she is under the influence of or impaired by cannabis, it must afford the employee a reasonable opportunity to contest the determination. *Id.* at 10-50(d), added by P.A. 101-27. **See also f/n 7, above. Contact the board attorney for advice concerning this provision and whenever the district seeks disciplinary action or dismissal of an employee on the basis of the cannabis prohibitions in the policy.**

**See also the Ill. Vehicle Code 625 ILCS 5/11-501.2(b-5) number one: when an individual's tetrahydrocannabinol concentration (THC) is five nanograms or more in whole blood or 10 nanograms or more in another bodily substance, e.g., saliva, urine, etc., as defined in 625 ILCS 5/11-501.2(a), a presumption under Illinois law exists that the individual is under the influence of cannabis. Under 625 ILCS 5/11-501.2(b-5) number two: when an individual's [THC] is less than five nanograms in whole blood or less than 10 nanograms or more in another bodily substance, e.g., saliva, urine, etc., as defined in 625 ILCS 5/11-501.2(a), the individual may still be considered impaired.**

In addition to a zero-tolerance policy, the CRTA also allows civil, criminal, or other penalties for:

1. Engaging in tasks under the influence of cannabis when doing so would constitute negligence, professional malpractice, or professional misconduct (410 ILCS 705/10-35(a)(1));
2. Possessing cannabis on a school bus or on school grounds (*Id.* at 10-35(a)(2)(A)-(B) unless permitted under the MCPA);
3. Using cannabis on a school bus or on school grounds (*Id.* at 10-35(a)(3)(A)-(B) unless permitted under the MCPA);
4. [Using cannabis] in a public place [while impaired or under the influence of cannabis] (*Id.* at 10-35(a)(3)(F));
5. Knowingly being [impaired by or under the influences of cannabis] in close physical proximity to anyone under 21 years of age who is not a registered medical cannabis patient under the MCPA (*Id.* at 10-35(a)(3)(G));
6. Smoking [and/or *vaping* (see f/n 18, below for a definition of vaping)] in any place where smoking is prohibited under the Smoke Free Illinois Act (*Id.* at 10-35(a)(4));
7. Using [cannabis] as an on-duty law enforcement officer, corrections officer, probation officer, or firefighter (*Id.* at 10-35(a)(8)), **or consuming, possessing, selling, purchasing, or delivering cannabis or a cannabis-infused substance(s) while on or off-duty [only if a policy has been adopted] *Id.* at 10-35(a)(8), amended by P.A. 101-593;** or
8. [Using cannabis while [b]]eing on duty as an individual holding a school bus permit or Commercial Driver's License (*Id.* at 10-35(a)(9)).

any location used for a School Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. *School grounds* means the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground, designated school bus stops where students are waiting for the school bus, and school-sponsored or school-sanctioned events or activities. “Vehicles used for school purposes” means school buses or other school vehicles.

As a condition of employment, each employee shall: **11**

1. Abide by the terms of the Board policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five calendar days after such a conviction.

Unless otherwise prohibited by this policy, prescription and over-the-counter medications are not prohibited when taken in standard dosages and/or according to prescriptions from the employee’s licensed health care provider, provided that an employee’s work performance is not impaired. **12**

To make employees aware of the dangers of drug and alcohol abuse, the Superintendent or designee shall perform each of the following: **13**

1. Provide each employee with a copy of this policy.
2. Post notice of this policy in a place where other information for employees is posted. **14**
3. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations. **15**
4. Enlist the aid of community and State agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees.

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**10** 410 ILCS 705/10-35 and 10-50(a), added by P.A. 101-27 and amended by P.A. 101-593, allows employers to prohibit cannabis in the *workplace*. Many attorneys agree it is a best practice for employers to define workplace in policies that prohibit cannabis. 410 ILCS 705/10-50(h), added by P.A. 101-27, defines *workplace* as the employer’s premises, including any building, real property, and parking area under the control of the employer or area used by an employee while in performance of the employee’s job duties, and vehicles, whether leased, rented, or owned – and may be further defined by the employer’s written policy when it is consistent with this definition.

This policy’s definition of workplace expands the above CRTA definition to areas that board policy and/or the School Code impose duties upon districts to keep students safe, including:

1. The *school property* definition from policy 8:30, *Visitors to and Conduct on School Property*;
2. The *school grounds* definition at 105 ILCS 5/10-27.1A(d); and
3. Places that school districts must prevent and respond to bullying, including vehicles used for school purposes. 105 ILCS 5/27-23.7(a).

**11** Required by the State and federal Drug-Free Workplace Acts.

**12** This optional paragraph is not addressed in State or federal drug-free workplace acts. An employer should generally not ask an employee about his or her use of medication. See rules implementing the Americans with Disabilities Act, 29 C.F.R. §1630.14. Consult the board attorney if an employee is suspected of working while impaired or under the influence.

**13** Numbers one through five in this paragraph are required by the State and federal Drug-Free Workplace Acts. 30 ILCS 580/3.

**14** As an alternative, replace the phrase “in a place where other information for employees is posted” with the district’s local method, e.g., staff intranet, Internet, etc.

**15** Grants may be available from the Ill. State Board of Education for developing a drug-free awareness program. 105 ILCS 5/2-3.93. The drug-free awareness program requirement can be met by developing a brochure on drug abuse or by contacting local, State, or national anti-drug abuse organizations for materials. The materials should be distributed to employees along with a list of places employees may call for assistance.

5. Establish a drug-free awareness program to inform employees about:
  - a. The dangers of drug abuse in the workplace,
  - b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
  - c. The penalties that the District may impose upon employees for violations of this policy.
6. Remind employees that policy 6:60, *Curriculum Content*, requires the District to educate students, depending upon their grade, about drug and substance abuse prevention and relationships between drugs, alcohol, and violence. **16**

E-Cigarette, Tobacco, and Cannabis Prohibition **17**

All employees are covered by the conduct prohibitions contained in policy 8:30, *Visitors to and Conduct on School Property*. The prohibition on the use of e-cigarettes,<sup>18</sup> tobacco, and cannabis products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event’s location.

*Tobacco* shall have the meaning provided in 105 ILCS 5/10-20.5b.

*Cannabis* shall have the meaning provided in the CRTA, 410 ILCS 705/1-10.

*E-Cigarette* is short for electronic cigarette and includes, but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah,

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**16** Optional. This statement serves as a display of good judgement and a reminder to employees that 105 ILCS 5/27-13.2 and 23.4 (provided it can be funded by private grants or the federal government) require districts to educate students about the dangers of substance abuse.

**17** 105 ILCS 5/10-20.5b, The Smoke Free Illinois Act, 410 ILCS 82/, and the CRTA, 410 ILCS 705/10-35(a)(4)(smoking anyplace where smoking is prohibited under the Smoke Free Illinois Act). Federal law prohibits smoking inside schools. 20 U.S.C. §6083(a).

The prohibition in 8:30, *Visitors to and Conduct on School Property*, referred to here, applies “on school property or at a school event.” Here, “at a school event” is clarified with the phrase “while ... performing work for the District” in order to align with this policy’s other prohibitions.

**18** While 720 ILCS 675, amended by P.A. 101-2, excludes e-cigarettes from its definition of tobacco, it does not address vaporization. Prohibiting *e-cigarettes* aligns with the district’s obligation to maintain a safe, smoke-free environment and is logical extension of 105 ILCS 5/10-20.5b, The Smoke Free Illinois Act (410 ILCS 82/), and The Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, 720 ILCS 675, amended by P.A. 101-2 (raising the legal age to buy tobacco and e-cigarette products to 21 years of age). In addition, the U.S. Food and Drug Administration now regulates e-cigarettes. 21 C.F.R. Parts 1100, 1140, and 1143, amended by 81 Fed.Reg. 28973.

E-Cigarettes may resemble cigarettes but contain a battery-operated heating element that turns a liquid into an aerosol (or vapor) that sometimes includes nicotine, flavorings, and other chemicals. The act of inhaling and exhaling the aerosol is known as *vaping*. See [www.centeronaddiction.org/e-cigarettes/recreational-vaping/what-vaping](http://www.centeronaddiction.org/e-cigarettes/recreational-vaping/what-vaping). For ease of administration, this policy treats *vaping*, whether tobacco products or not, and smoking tobacco the same due to the outbreaks of lung disease associated with the use of e-cigarettes and vaping. Some e-cigarettes do not look like tobacco products; they are designed to resemble other objects, such as USB flash drives, to be more easily concealed. Like smoking tobacco, vaporization products may include nicotine, which is derived from and is the addictive drug in tobacco, and other potentially harmful chemicals. See *Tobacco/Nicotine and E-Cigs* at: [www.drugabuse.gov/drugs-abuse/tobacconicotine-e-cigs](http://www.drugabuse.gov/drugs-abuse/tobacconicotine-e-cigs). Unlike smoking tobacco, vaping does not produce smoke, but rather the aerosol, often mistaken for water vapor and consisting of fine particles. Many of these particles contain varying amounts of toxic chemicals, which have been linked to cancer and respiratory and heart disease. An outbreak of lung disease has been associated with e-cigarette use and vaping. See articles at:

[www.cdc.gov/tobacco/basic\\_information/e-cigarettes/severe-lung-disease.html](http://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html); and  
[www.cdc.gov/tobacco/basic\\_information/e-cigarettes/severe-lung-disease/health-departments/index.html](http://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease/health-departments/index.html).

vape pen, or similar product or device, and any components or parts that can be used to build the product or device. 19

#### District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. 20 In addition or alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse rehabilitation program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within 30 days after receiving notice of the conviction. 21

Should District employees be engaged in the performance of work under a federal contract or grant, or under a State contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate State or federal agency from which the District receives contract or grant monies of the employee's conviction within 10 days after receiving notice of the conviction. 22

#### Disclaimer 23

The Board reserves the right to interpret, revise or discontinue any provision of this policy pursuant to the **Suspension of Policies** subhead in policy 2:240, *Board Policy Development*.

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19 Optional. If a district does not want to include the statutory example that includes the term *vape pen*, which provides notice that vaping products are also prohibited through the term e-cigarette, replace  ~~, includes but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device~~ with “shall have the meaning provided in the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, 720 ILCS 675/1(a-9).”

20 An employee who currently uses *illegal* drugs is not protected under the Americans With Disabilities Act (ADA) when the district acts on the basis of such use. 42 U.S.C. §12114. Legal drug abusers and alcoholics may still be protected as *handicapped* under the Rehabilitation Act of 1973 (29 U.S.C. §706 et seq.) or the Ill. Human Rights Act (IHRA). 775 ILCS 5/1-101 et seq. and 56 Ill.Admin.Code §2500.20. The Rehabilitation Act, however, excludes from protection “an alcohol or drug abuser whose current use of alcohol or drugs prevents such individual from performing the duties of the job in question or whose employment ... would constitute a direct threat to the property or the safety of others.” 29 U.S.C. §706-(7)(B).

The ADA neither authorizes nor prohibits drug testing; it allows the results of such tests to be used as the basis for disciplinary action. ~~(42 U.S.C. §12114; 29 C.F.R. §1630.16 (c)).~~ Drug tests may still violate other laws, e.g., Title VI and the Rehabilitation Act. ~~(42 U.S.C. §2000e et seq.; and 29 U.S.C. §706 et seq.).~~ Drug tests may also be a subject of collective bargaining. See paragraph one of f/n 1, above. Consult the board attorney before implementing a drug testing program to enforce this policy.

21 Required by both the federal and State Drug-Free Workplace Acts.

22 Id.

23 Optional best practice text.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12114.  
Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15.  
Drug-Free Workplace Act of 1988, 41 U.S.C. §8101 et seq.  
Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101 et seq.  
30 ILCS 580/, Drug-Free Workplace Act.  
105 ILCS 5/10-20.5b.  
410 ILCS 82/, Smoke Free Illinois Act.  
410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.  
410 ILCS 705/1-1 et seq., Cannabis Regulation and Tax Act.  
720 ILCS 675, Prevention of Tobacco Use by Persons under 21 Years of Age and  
Sale and Distribution of Tobacco Products Act.  
820 ILCS 55/, Right to Privacy in the Workplace Act.  
21 C.F.R. Parts 1100, 1140, and 1143.  
23 Ill.Admin.Code §22.20.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:120  
(Employee Ethics; Conduct; and Conflict of Interest), 6:60 (Curriculum Content),  
8:30 (Visitors to and Conduct on School Property)

## General Personnel

### Expenses 1

The Board regulates the reimbursement of all travel, meal, and lodging expenses by resolution.<sup>2</sup> Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the employee,<sup>3</sup> (2) anyone’s personal expenses,<sup>4</sup> or (3) entertainment expenses.<sup>5</sup> Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.<sup>6</sup> The District is not responsible for losses due to an employee’s own negligence, losses due to normal wear, or losses due to theft, unless the theft was a result of the District’s negligence.<sup>7</sup> Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following: <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>1</sup> State law controls this policy’s content. 105 ILCS 5/10-9, 5/10-10, and 5/22-1 (no compensation allowed, conflicts of interest prohibited); 105 ILCS 5/10-22.32 (expense advancements); 820 ILCS 115/9.5, added by P.A. 100-1094, ~~eff. 1-1-19~~ (regulation of employee expenditures under the Ill. Wage Payment and Collection Act)(WPCA); ~~and the Local Government Travel Expense Control Act (ECA) 50 ILCS 150/10, added by P.A. 99-604~~ (regulation of travel expenses); and the Grant Accountability and Transparency Act (GATA), 30 ILCS 708/130 (regulation of travel expenses under grants). See ~~the third paragraph in f/n 13~~ of policy 2:125, *Board Member Compensation; Expenses*.

105 ILCS 5/10-22.32 states that “[t]he school board may advance to teachers and other certified employees the anticipated actual and necessary expenses incurred in attending meetings that are related to that employee’s duties and will contribute to the professional development of that employee.” This policy expands beyond those two categories (105 ILCS 5/10-20) of employees, and the limited purpose of attending meetings, to reimburse all employees for approved expenses necessary for the employee to perform his or her duties.

The WPCA, 820 ILCS 115/9.5, added by P.A. 100-1094, ~~eff. 1-1-19~~, defines *necessary expenditures* as all reasonable expenditures or losses required of the employee in the discharge of employment duties and that inure to the primary benefit of the employer.

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. If a local collective bargaining agreement contains a provision on expenses, consult the board attorney about how this policy may impact it.

<sup>2</sup> 50 ILCS 150/10, ~~added by P.A. 99-604~~. See f/ns 4 through 8 in policy 2:125, *Board Member Compensation; Expenses*, for more discussion.

For a sample resolution, see 2:125-E3, *Resolution to Regulate Expense Reimbursements*.

<sup>3</sup> 105 ILCS 5/10-22.32. The final paragraph of this law prohibits money for expenses to be advanced or reimbursed to any person other than a board member or employee of the district.

<sup>4</sup> Optional. *Personal expenses* are not defined in 50 ILCS 150/25, ~~added by P.A. 99-604~~ or 105 ILCS 5/10-22.32. Consult the board attorney about this term and delete it only at the direction of the board attorney. Excluding personal expenses from advancements, reimbursements, and purchase orders is a generally-accepted best practice. The practice also aligns well with the State’s widely-accepted transparency movement. Reimbursing personal expenses is also a magnet for the media.

<sup>5</sup> 50 ILCS 150/25, ~~added by P.A. 99-604~~.

<sup>6</sup> *Id.*

<sup>7</sup> Optional. 820 ILCS 115/9.5, added by P.A. 100-1094, ~~eff. 1-1-19~~. The purpose of this sentence is to provide information to employees and the community about WPCA exclusions from reimbursable expenses.

<sup>8</sup> 50 ILCS 150/20, ~~added by P.A. 99-604~~. The School Code uses the term *voucher* for expense advancements (105 ILCS 5/10-22.32); the ECA requires submission of itemized, signed, standardized forms. Both 5:60-E1, *Employee Expense Reimbursement Form*, and 5:60-E2, *Employee Estimated Expense Approval Form* incorporate *voucher* into the ECA’s requirement to use standardized forms. See f/n 12 below, and see also f/n 20 of policy 2:125, *Board Member Compensation; Expenses*, for more discussion.

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and title of the employee who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants. <sup>9</sup>
3. The date(s) of the official business on which the expense advancement, reimbursement, or purchase order will be or was expended. <sup>10</sup>
4. The nature of the official business conducted when the expense advancement, reimbursement, or purchase order will be or was expended. <sup>11</sup>

### Advancements

The Superintendent may advance expenses to teachers and other licensed employees for the anticipated actual and necessary expenses to be incurred while attending meetings that are related to their duties and will contribute to their professional development,<sup>12</sup> provided they fall below the maximum allowed in the Board's expense regulations. <sup>13</sup>

Expense advancement requests must be submitted to the Superintendent or designee on the District's standardized estimated expense approval form for employees. After spending expense advancements, employees must use the District's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts.<sup>14</sup> Any portion of an expense advancement not used must be returned to the District.<sup>15</sup> Expense advancements and vouchers shall be presented to the Board in its regular bill process.

### Reimbursements and Purchase Orders

Expense reimbursements and purchase orders may be issued by the Superintendent or designee to employees, along with other expenses necessary for the performance of their duties, provided the expenses fall below the maximum allowed in the Board's expense regulations.

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Additionally, while the WPCA (820 ILCS 115/9.5(a)) allows employees to submit a signed statement regarding any receipts when supporting documentation is nonexistent, missing, or lost, 820 ILCS 115/9.5(b) outlines that employers are not liable for expenditure amounts that exceed the specifications or guidelines the employer has established for necessary expenditures. The ECA requires districts to establish such specifications and guidelines. 50 ILCS 150/10 and 20, ~~added by P.A. 99-604~~ (regulation of travel expenses).

<sup>9</sup> 50 ILCS 150/20(2) and (3). This sentence mirrors the statute. The term *offices* is not defined. Consult the board attorney about whether inserting *job titles* would be sufficient for this requirement.

<sup>10</sup> *Id.* at (4).

<sup>11</sup> *Id.*

<sup>12</sup> 105 ILCS 5/10-22.32 authorizes advancements for the listed items. This statute addresses expense advancements for certain activities; its language pre-dates the ECA and is narrower than the ECA. This policy seeks to reconcile the differences by separating advancements into a separate subhead. See f/n 8 above, and see also f/n 20 of policy 2:125, *Board Member Compensation; Expenses*, for more discussion.

<sup>13</sup> 50 ILCS 150/10 and 20, ~~added by P.A. 99-604~~. This phrase recognizes that while advancements are allowed in these situations, they should remain below the MARA set by the board.

<sup>14</sup> 50 ILCS 150/20, ~~added by P.A. 99-604~~.

<sup>15</sup> This paragraph's provisions are required by 105 ILCS 5/10-22.32.

Expense reimbursements and purchase order approvals are not guaranteed and, when possible, employees should seek pre-approval of expenses<sup>16</sup> by providing an estimation of expenses on the District's standardized estimated expense approval form for employees, except in situations when the expense is diminutive. When pre-approval is not sought, employees must seek reimbursement on the District's standardized expense reimbursement form for employees. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

#### Use of Credit and Procurement Cards

Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards*.

#### Exceeding the Maximum Allowable Expense Amount(s) 17

All requests for expense advancements, reimbursements, and purchase orders exceeding the maximum allowed in the Board's expense regulations may only be approved when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting. <sup>18</sup>

#### Registration 19

When possible, registration fees will be paid by the District in advance.

#### Travel

The least expensive method of travel will be used, provided that no hardship will be caused to the employee. Employees will be reimbursed for:

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<sup>16</sup> Optional. Consult the board attorney to determine whether a pre-approval process is appropriate for the district. Neither 105 ILCS 5/10-22.32 (expense advancements) nor 50 ILCS 150/ (expense reimbursements and estimates) address expense *pre-approvals*. 50 ILCS 150/20 states: "an *estimate* if expenses have not been incurred ..." or "a *receipt* ... if the expenses have already been incurred," suggesting no pre-approval is necessary. However, pre-approval is a best practice, and an employee who incurs expenses without pre-approval may run the risk that his or her expenses will not be approved. On the other hand, submitting estimated expenses for approval begs a pre-approval process, and some attorneys may read the law to require pre-approval of expenses. The pre-approval process also provides school officials with better information for financial planning.

Consult the board attorney to determine whether a pre-approval process is appropriate for the district. If it is required, ensure that 2:125-E3, *Resolution to Regulate Expense Reimbursements*, reflects the district's specific pre-approval requirements. For an example of a standardized *estimated* expense form that could be used as a form of pre-approval, see 5:60-E2, *Employee Estimated Expense Approval Form*. The form provides three methods for employees to submit estimated expenses: providing estimated expenses (50 ILCS 150/), expense advancements for the specific activities (105 ILCS 5/10-22.32), or a purchase order.

<sup>17</sup> 50 ILCS 150/ does not define *maximum allowable reimbursement amount* (MARA). Consult the board attorney to assist with a conversation about how much authority the board wishes to delegate to the superintendent for purposes of setting the MARA. Topics for these conversations are listed in f/n 8 of policy 2:125, *Board Member Compensation; Expenses*.

<sup>18</sup> 50 ILCS 150/10 and 15. See f/n 13 in policy 2:125, *Board Member Compensation; Expenses* for more discussion.

<sup>19</sup> Amend the language in subheads **Registration**, **Travel**, **Meals**, **Lodging**, and **Miscellaneous Expenses** to align with the MARA defined in the board's expense regulation resolution. See 2:125-E3, *Resolution to Regulate Expense Reimbursements*, for a sample resolution.

See f/ns 4 and 8 in policy 2:125, *Board Member Compensation; Expenses*, for further discussion about the board's power to set the expense regulations by policy (105 ILCS 5/10-20) and clarify considerations and unanswered questions surrounding its statutorily-imposed duty to set a MARA (50 ILCS 150/10, ~~added by P.A. 99-604~~).



1. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. [Fees for the first checked bag will be reimbursed.](#)<sup>20</sup> Copies of airline tickets [and baggage receipts](#) must be attached to the expense form.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
5. Taxis, airport limousines, [ride sharing services](#), or other local transportation costs.

### Meals

Meals charged to the District should represent mid-fare selections for the hotel/meeting facility or general area.<sup>21</sup> Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

### Lodging

Employees should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Employees should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.

### Miscellaneous Expenses

Employees may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

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<sup>20</sup> Optional. This language reflects the standard for expenses permitted for federal awards. 41 C.F.R. §301-12.2. If the board does not reimburse baggage fees, delete this sentence and [and baggage receipts](#) from the next sentence.

<sup>21</sup> Alternatively, a board could set a daily limit on meal costs, such as:

Employees will be reimbursed for meal costs and tips up to \$\_ per day consistent with the maximum reimbursement amount(s) set by the Board.

But see also f/n 8 of policy 2:125, *Board Member Compensation; Expenses*, and ensure this amount is consistent with the MARA set by the board resolution.

## Additional Requirements for Travel Expenses Charged to Federal and State Grants 22

All grant-related travel expenses must be pre-approved by the Superintendent or designee. 23

Expenses for travel, including expenses for transportation, lodging, meals, and related items incurred by employees and charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act (30 ILCS 708/) must also meet the following requirements:

1. The participation of the employee is necessary to the award, and the costs are specifically related to the award. 24
2. Expenses must be permissible under the terms and conditions of the award.
3. Expenses must be reasonable and consistent with this policy. 25
4. The Board does not reimburse actual expenses or pay a per diem allowance unless the employee is on official *travel status*<sup>26</sup> for more than 12 hours.<sup>27</sup> However, employees remain eligible for mileage reimbursement (minus regular commuting mileage/costs) and other transportation expenses if on travel status less than 12 hours. 28
5. Expenses may be charged based on an actual cost basis or on a per diem basis in lieu of actual costs incurred; however, only one method may be applied per trip. 29

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22 30 ILCS 708/130. Boards are required to follow this subhead when they use grant money to reimburse employee travel expenses charged to federal pass-through grants and State grants covered by GATA. This policy is designed to be used in conjunction with 5:60-AP, *Federal and State Grant Travel Expense Procedures* to achieve compliance.

GATA adopts the uniform federal guidance for State grants, including for travel costs. 2 C.F.R. §200.474. Additionally, under GATA, boards may charge travel expenses to grants based on their own policy, provided the policy does not exceed federal travel regulations. 30 ILCS 708/130; 41 C.F.R. Chapters 300-304 (federal travel regulations). With regard to lodging, meals, and incidentals specifically, boards not only must keep costs at or below the federal standards, but they also cannot allow costs to exceed those normally allowed by the Governor's Travel Control Board (GTCB). 30 ILCS 708/130. The federal travel regulations and the rules of the GTCB are comprehensive. This policy addresses the most common areas of travel expenses and applies the strictest standard between the State and federal travel rules. To the extent this policy does not cover certain specific types of travel expenses, GATA provides that the GTCB Rules must be followed, provided they do not exceed federal travel regulations. The federal rules are laid out in detail in a Q&A format at: [www.gsa.gov/policy-regulations/regulations/federal-travel-regulation-ftp](http://www.gsa.gov/policy-regulations/regulations/federal-travel-regulation-ftp). The GTCB Rules are at: [www.ilga.gov/commission/jcar/admincode/080/08002800sections.html](http://www.ilga.gov/commission/jcar/admincode/080/08002800sections.html). Regardless of the federal and State rules, travel expenses must still comply with the MARA set by the Board, unless approved by the board in accordance with this policy.

In GATA and throughout the IASB Policy Reference Manual, the terms *award* and *grant* are used interchangeably. The federal regulations define and use the term *federal award* (2 C.F.R. §200.38), but awards are more commonly referred to as grants.

23 Federal travel regulations state that requests for authorization for actual expense reimbursement should be made *in advance* of travel. 2 C.F.R. §301-11.302. 5:60-E2, *Employee Estimated Expense Approval Form*, can be used as a form for pre-approval.

24 2 C.F.R. §§200.474, 200.474(b)(1).

25 2 C.F.R. §200.474(b)(2).

26 *Travel status* is not specifically defined in the federal travel regulations or in the GTCB rules, however, the Governor's Travel Council Regulation Rules, which apply to State employees and members of State boards, provide that an employee is on *travel status* while away on official business. Travel status begins when an employee leaves his or her work location or, if reporting directly to a destination, from the employee's residence or other location. It ends when an employee returns to his or her work location or, if reporting directly from the original destination, to the employee's residence or other location at the completion of the authorized travel. 80 Ill.Admin.Code §3000.140.

27 41 C.F.R. §301-11.1.

28 41 C.F.R. §301-10.300-10.310 are the federal regulations that address mileage reimbursement and related expenses.

29 2 C.F.R. §200.474(a).

6. Commercial airfare costs in excess of the least expensive coach or economy class are prohibited except when such accommodations would: (1) require circuitous routing; (2) require travel during unreasonable hours; (3) excessively prolong travel; (4) result in additional costs that would offset transportation savings; or (5) offer accommodations not reasonably adequate for the traveler's medical needs. Qualifying circumstances must be explained on the expense form, and Board approval of the additional expense is required. <sup>30</sup>
7. Per diem rates and actual reimbursement amounts for mileage, meals, and lodging may not exceed the rates established by the Governor's Travel Control Board or federal travel regulations, whichever is less.<sup>31</sup> These limits do not apply when: (1) an employee stays in the lowest-priced room available at or near a hotel where a conference or seminar is located or in accommodations arranged by the conference/seminar organization, or (2) lodging at or below the established rate is unavailable.<sup>32</sup> In those cases, the employee will be reimbursed for actual lodging expenses with prior approval, but in no case will the reimbursement exceed 300% of the applicable maximum per diem rate.<sup>33</sup> If a conference fee includes a meal, the meal or per diem allowance will be reduced by the actual value of the meal or the applicable meal allowance, whichever is less. <sup>34</sup>
8. Employees must use the least expensive compact car available when using a rental car for travel, unless an exception is approved.<sup>35</sup> The Board does not reimburse employees for collision damage waiver or theft insurance. <sup>36</sup>
9. The Board will reimburse travel expenses not chargeable to an award from other District funds consistent with this policy.

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<sup>30</sup> 2 C.F.R. §200.474(e).

<sup>31</sup> To determine the lesser applicable amount, compare the State rates, available at: [www2.illinois.gov/cms/employees/travel/pages/travelreimbursement.aspx](http://www2.illinois.gov/cms/employees/travel/pages/travelreimbursement.aspx), with the federal per diem rates, available at: [www.gsa.gov/travel/plan-book/per-diem-rates](http://www.gsa.gov/travel/plan-book/per-diem-rates).

<sup>32</sup> 80 Ill.Admin.Code §2800.400; 41 C.F.R. §301-11.30.

<sup>33</sup> 41 C.F.R. §301-11.30. 300% is the maximum reimbursement amount permitted under federal travel expense regulations and may be adjusted down by the board. The board may not reimburse over the MARA even if the expense is under the 300% threshold, unless it meets the requirements of the ECA. See f/n 17, above. See 5:60-AP, *Federal and State Award Travel Expense Procedures*, for details on lodging requirements, including excessive lodging requests.

<sup>34</sup> 80 Ill.Admin.Code §2800.500.

<sup>35</sup> See 41 C.F.R. §301-10.450 for a list of authorized exceptions.

<sup>36</sup> 41 C.F.R. §301-10.451. Federal regulations prohibit reimbursement for collision damage waiver and theft insurance in part because the government has negotiated full insurance coverage into its agreements with rental companies. Similarly, the State has negotiated the cost of damage collision waivers into its preferred vendor agreement. Districts may wish to pursue similar arrangements for additional coverage. Employees will often have coverage for rental car damage through their own personal auto policies. The federal regulations permit employees on official business to be reimbursed for their out-of-pocket deductibles. *Id.*

LEGAL REF.: [2 C.F.R. §200.474.](#)  
[30 ILCS 708/130, Grant Accountability and Transparency Act.](#)  
50 ILCS 150/, Local Government Travel Expense Control Act.  
105 ILCS 5/10-22.32.  
820 ILCS 115/9.5, Ill. Wage Payment and Collection Act.

CROSS REF.: 2:125 (Board Member Compensation; Expenses), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards)

Draft

## General Personnel

### Personnel Records 1

The Superintendent or designee shall manage the maintenance of personnel records in accordance with State and federal law and School Board policy. Records, as determined by the Superintendent, are retained for all employment applicants, employees, and former employees given the need for the District to document employment-related decisions, evaluate program and staff effectiveness, and comply with government recordkeeping and reporting requirements. Personnel records shall be maintained in the District’s administrative office, under the Superintendent’s direct supervision.

Access to personnel records is available as follows:

1. An employee will be given access to his or her personnel records according to State law and guidelines developed by the Superintendent. 2
2. An employee’s supervisor or other management employee who has an employment or business-related reason to inspect the record is authorized to have access.
3. Anyone having the respective employee’s written consent may have access.
4. Access will be granted to anyone authorized by State or federal law to have access.
5. All other requests for access to personnel information are governed by Board policy 2:250, *Access to District Public Records*. 3

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 is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. When a policy’s subject matter is superseded by a bargaining agreement, the board policy can state, “Please refer to the applicable collective bargaining agreement.”

<sup>2</sup> An employee has the right to view his or her personnel file contents, with a few exceptions. Ill. Personnel Record Review Act (PRRA), 820 ILCS 40/. Thus, personnel files should contain only factual and accurate job-related information. In addition, the PRRA identifies records that may not be kept: a record of an employee’s associations, political activities, publications, communications, or non-employment activities (820 ILCS 40/9, amended by P.A. 101-531) and records identifying an employee as the subject of an investigation by the Ill. Dept. of Children and Family Services (DCFS) if the investigation resulted in an unfounded report as specified in the Abused and Neglected Child Reporting Act (820 ILCS 40/13). See f/n 5.

<sup>3</sup> Unless a specific exemption is available, personnel file information is available to anyone making a FOIA request. 5 ILCS 140/. Specific exemptions protect the following:

1. *Private information* meaning “unique identifiers, including a person’s social security number, driver’s license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person.” 5 ILCS 140/7(1)(b); 5 ILCS 140/2(c)-5.
2. *Personal information* “the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 ILCS 140/7(1)(c).

The Superintendent or designee shall manage a process for responding to inquiries by a prospective employer concerning a current or former employee's job performance.<sup>4</sup> The Superintendent shall execute the requirements in the Abused and Neglected Child Reporting Act whenever another school district asks for a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS. <sup>5</sup>

When requested for information about an employee by an entity other than a prospective employer, the District will only confirm position and employment dates unless the employee has submitted a written request to the Superintendent or designee.

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3. Information prohibited from being disclosed under the Illinois Educational Labor Relations Act (IELRA). 5 ILCS 140/7.5(oo), added by P.A. 101-620 (final citation pending); 115 ILCS 5/3(d). The prohibitions in the IELRA overlap with some categories of private information identified in FOIA and include: (a) the employee's home address (including ZIP code and county); (b) the employee's date of birth; (c) the employee's home and personal phone number; (d) the employee's personal email address; (e) any information personally identifying employee membership or membership status in a labor organization or other voluntary association affiliated with a labor organization or a labor federation; and (f) e-mails or other communications between a labor organization and its members. Unless a specific exception in the IELRA applies, if a district receives a third party request for any of these six categories of information about an employee, the district must provide the union with a copy of the written request (or written summary of an oral request), as well as a copy of the district's response within five business days of sending the response. If the employee is not in a bargaining unit, then these notices must be given directly to the employee. 115 ILCS 5/3(d). Note: It is best practice to maintain union-related documents, such as grievances, separately from an employee's personnel file.

2-4. Information prohibited from being disclosed by the PRRA. 5 ILCS 140/7.5(q). The PRRA prohibits the disclosure of a performance evaluation under FOIA. 820 ILCS 40/11. The treatment of a request for a disciplinary report, letter of reprimand, or other disciplinary action depends on the age and nature of the responsive record. If the responsive record is more than four years old and is not related to an incident or attempted incident of sexual abuse or severe physical abuse, the request must be denied unless the disclosure is permitted by the Act. 5 ILCS 140/7.5(q); 820 ILCS 40/8, amended by P.A. 101-531. If the responsive record is more than four years old and is related to an incident or an attempted incident of sexual abuse or severe physical abuse, the request cannot be denied. 820 ILCS 40/8, amended by P.A. 101-531. If the responsive record is four years old or less (regardless of its nature), the district should provide the record and must notify the employee in written form or through email, if available. 820 ILCS 40/7 and 40/8, amended by P.A. 101-531.

The School Code prohibits the disclosure of school teacher, principal, and superintendent performance evaluations except as otherwise provided in the certified employee evaluation laws. 105 ILCS 5/24A-7.1.

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Pub.L. 104-191) created national standards to protect individuals' medical records and other personal health information. If a district is a *covered entity* (i.e., offers a self-insured group health plan or flexible spending account), it must establish clear procedures to protect the employee's health information. 45 C.F.R. §164.502. Such districts should consult their attorneys and insurance provider for assistance.

<sup>4</sup> The Employment Record Disclosure Act (745 ILCS 46/10) provides conditional immunity to employers responding to a reference request; it states: "Any employer or authorized employee or agent acting on behalf of an employer who, upon inquiry by a prospective employer, provides truthful written or verbal information, or information that it believes in good faith is truthful, about a current or former employee's job performance is presumed to be acting in good faith and is immune from civil liability for the disclosure and the consequences of the disclosure." This immunity statute does not, however, create an exemption to the requirements in the PRRA. The PRRA requires an employer to give an employee written notice before divulging a "disciplinary report, letter of reprimand, or other disciplinary action to a third party." 820 ILCS 40/7. An employment application may contain a waiver of this notice. *Id.*

<sup>5</sup> 325 ILCS 5/4(d), amended by P.A. 101-564, *eff. 1-1-20*, requires a superintendent, upon being asked for a reference concerning an employee or former employee, to disclose to the requesting school district the fact that a district employee has made a report involving the conduct of the applicant or caused a report to be made to DCFS. For more information, see 5:150-AP, *Personnel Records*.

LEGAL REF.: [325 ILCS 5/4, Abused and Neglected Child Reporting Act.](#)  
[745 ILCS 46/10, Employment Record Disclosure Act.](#)  
[820 ILCS 40/, Personal Record Review Act.](#)  
23 Ill.Admin.Code §1.660.

CROSS REF.: 2:250 (Access to District's Public Records), 7:340 (Student Records)

Draft

## Professional Personnel

### Resignations <sup>1</sup>

Tenured teachers may resign at any time with consent of the School Board or by written notice sent to the Board Secretary at least 30 days before the intended date of resignation. However, no teacher may resign during the school term in order to accept another teaching position without the consent of the Board.<sup>2</sup>

LEGAL REF.: 105 ILCS 5/24-14.  
Park Forest Heights School Dist. v. State Teacher Certification Bd., 842 N.E.2d 1230 (Ill.App.1st 2006).

Draft

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> Districts may want to add a liquidated damages clause to individual teacher contracts in order to discourage teacher resignations in violation of this policy and law.

A teacher who resigns during the school term, without the board's permission, in order to accept another teaching assignment ~~may be referred by the board to the State Superintendent of Education, who shall convene an informal evidentiary hearing within 90 days after receipt of a resolution by the board. 105 ILCS 5/24-14, amended by P.A. 100-531, is~~ A teacher found guilty of resigning during the school term to accept another teaching position without board consent~~unprofessional conduct and liable to suspension of will have~~ his or her license suspended for ~~up to one~~ calendar year. ~~105 ILCS 5/24-14~~Id. In lieu of a hearing and finding, the teacher may agree to a lesser licensure sanction at the discretion of the State Superintendent. Id. See also Park Forest Heights School Dist. v. State Teacher Certification Bd., 842 N.E.2d 1230 (Ill.App.1st 2006)(regional superintendent may suspend for one year the teaching certificate of a tenured or nontenured teacher who resigns to accept another position).

For further guidance, see Ill. State Board of Education non-regulatory guidance on the Application of Section 24-14 of the Illinois School Code to Teacher Resignations (10-28-19) at [www.isbe.net/Documents/section-24-14-guidance.pdf](http://www.isbe.net/Documents/section-24-14-guidance.pdf).



## Educational Support Personnel

### Duties and Qualifications 1

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

### Paraprofessionals 2

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. 3

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

Noncertificated and unlicensed personnel performing non-instructional duties may be used:

1. For supervising study halls, long-distance teaching reception areas used incident to instructional programs transmitted by electronic media (e.g., computers, video, and audio), detention and discipline areas, and school-sponsored extracurricular activities; 4
2. As supervisors, chaperones, or sponsors for non-academic school activities; or 5

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<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 licensure replaced the previous system of certification on 7-1-~~20~~13. All Illinois teaching, administrative, and school service personnel certificates were converted to a corresponding license. Except as provided in ISBE rules §§1.630(b)(2) and 25.510(a), all new applicants for a paraprofessional credential must hold an educator license with stipulations endorsed for a paraprofessional educator. 105 ILCS 5/21B-20(2)(J), amended by P.A.s 101-220 and 101-594; (23 Ill.Admin.Code §§1.630 and 25.510). See ISBE’s explanation at: [www.isbe.net/Pages/Educator-Licensure-Requirements.aspx](http://www.isbe.net/Pages/Educator-Licensure-Requirements.aspx).

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.”

Paraprofessionals are not required to maintain discipline under 105 ILCS 5/24-24. 23 Ill.Admin.Code §1.280.

<sup>3</sup> 105 ILCS 5/10-22.34; 23 Ill.Admin.Code §§1.630(c)(3) (other unlicensed personnel) and 25.620 (student teaching).

This paragraph is optional and may be deleted if the board desires a streamlined policy.

<sup>4</sup> 105 ILCS 5/10-22.34(a)(2).

<sup>5</sup> 105 ILCS 5/10-22.34a; 23 Ill.Admin.Code §1.630(~~ac~~)(1).

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,

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<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.<sup>23</sup> 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 Ill.~~inois~~ High School Association, the Southern Ill.~~inois~~ Junior High School Athletic Association, and the Ill.~~inois~~ 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-§§525.300 and 525.400~~).

<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, amended by P.A. 100-863).~~

School bus driver permits are issued by the Ill. Secretary of State (SOS). ~~(625 ILCS 5/6-106.1, amended by P.A.s 100-513 and 101-458).~~ 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 Ill. Dept. of State Police (ISP) for criminal background investigations. Districts must also certify in writing to the ~~Secretary of State~~SOS that all pre-employment conditions were completed, including an Illinois-specific criminal background investigation through the ~~State Police~~ISP 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~~SOS 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.: 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 §§1.280, 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)

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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. 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. 625 ILCS 5/6-106.1(j). Upon notification, the ~~Secretary of State~~<sup>SOS</sup> 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.~~

## Instruction

### Accelerated Placement Program 1

The District provides an Accelerated Placement Program (APP). The APP advances the District’s goal of providing educational programs with opportunities for each student to develop to his or her maximum potential.<sup>2</sup> The APP provides an educational setting with curriculum options usually reserved for students who are older or in higher grades than the student participating in the APP.<sup>3</sup> APP options include, but may not be limited to: (a) accelerating a student in a single subject; (b) other grade-level acceleration; and (c) early entrance to kindergarten or first grade.<sup>4</sup> Participation in the APP is open to all students who demonstrate high ability and who may benefit from accelerated placement. It is not limited to students who have been identified as gifted and talented.<sup>5</sup> Eligibility to participate in the District’s APP shall not be conditioned upon the protected classifications identified in School Board policy 7:10, *Equal Educational Opportunities*, or any factor other than the student’s identification as an accelerated learner. <sup>6</sup>

The Superintendent or designee shall implement an APP that includes:

1. Decision-making processes that are fair, equitable, and involve multiple individuals, e.g. District administrators, teachers, and school support personnel, and a student’s parent(s)/guardian(s); <sup>7</sup>
2. Notification processes that notify a student’s parent(s)/guardian(s) of a decision affecting a student’s participation in the APP; and <sup>8</sup>
3. Assessment processes that include multiple valid, reliable indicators. <sup>9</sup>

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<sup>1</sup> State law requires this subject matter be covered by policy and controls its content. 105 ILCS 5/14A, amended by P.A. 100-421, ~~eff. 7-1-18~~ (the Accelerated Placement Act (APA)); [23 Ill.Admin.Code Part 227. Ill. State Board of Education \(ISBE\) rules require this policy to be posted on the district website, if available. 23 Ill.Admin.Code §227.60\(a\). ISBE rules also require districts to annually report, by July 31, demographic information regarding students participating in accelerated placement. 23 Ill.Admin.Code §227.60\(c\).](#)

<sup>2</sup> Optional. Ensure this statement matches the board’s current educational philosophy and objectives. See sample policy 6:10, *Educational Philosophy and Objectives*.

<sup>3</sup> 105 ILCS 5/14A-17, added by P.A. 100-421; [23 Ill.Admin.Code §227.5, eff. 7-1-18](#).

<sup>4</sup> Id. For high school districts, delete “; and (c) early entrance to kindergarten or first grade” and insert the word “and” between (a) and (b).

Attorneys disagree whether the APA conflicts with 105 ILCS 5/10-20.12 (*School year – School age.*). The APA requires accelerated placement to include “early entrance to kindergarten ~~and early entrance to~~ first grade.” [105 ILCS 5/14A-17](#). 105 ILCS 5/10-20.12 *permits* districts to offer early entrance to kindergarten or first grade “based upon an assessment of the student’s readiness to attend school.” 105 ILCS 5/10-20.12 also states that students may enter first grade early when they: (1) are assessed for readiness; (2) have attended a non-public preschool and continued their education at that school through kindergarten; (3) were taught in kindergarten by an appropriately certified teacher; and (4) will attain the age of 6 years on or before December 31. Id. See sample policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*. **Consult the board attorney for guidance.**

<sup>5</sup> 105 ILCS 5/14A-32(a)(1), added by P.A. 100-421; [23 Ill.Admin.Code §227.5, eff. 7-1-18](#).

<sup>6</sup> 105 ILCS 5/14A-25, amended by P.A. 100-421, ~~eff. 7-1-18~~.

<sup>7</sup> 105 ILCS 5/14A-32(a)(2), added by P.A. 100-421, ~~eff. 7-1-18~~, requires that the accelerated placement policy include “a fair and equitable decision-making process that involves multiple persons and includes a student’s parents or guardians” but does not specify what individuals are to be involved or limit those individuals to district employees. Amend this listing to align with the local board’s preference.

<sup>8</sup> 105 ILCS 5/14A-32(a)(3), added by P.A. 100-421, ~~eff. 7-1-18~~.

The Superintendent or designee shall annually notify the community, parent(s)/guardian(s), students, and school personnel about the APP, the process for referring a student for possible evaluation for accelerated placement, and the methods used to determine whether a student is eligible for accelerated placement.<sup>10</sup> Notification may: (a) include varied communication methods, such as student handbooks and District or school websites; and (b) be provided in multiple languages, as appropriate.  
**11**

LEGAL REF.: 105 ILCS 5/14A.  
[23 Ill.Admin.Code Part 227, Gifted Education.](#)

CROSS REF.: 6:10 (Educational Philosophy and Objectives), 6:130 (Program for the Gifted), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

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<sup>9</sup> 105 ILCS 5/14A-32(a)(4), added by P.A. 100-421, ~~eff. 7-1-18~~.

<sup>10</sup> Optional. 105 ILCS 5/14A-32(b)(1) permits, but does not require “procedures for annually informing the community at-large, including parents or guardians, about the accelerated placement program and the methods used for the identification of children eligible for accelerated placement.”

<sup>11</sup> Optional. 105 ILCS 5/14A does not require this but it is a recommended best practice and aligns with sample policy 7:10, *Equal Educational Opportunities*.

## Instruction

### Access to Electronic Networks <sup>1</sup>

Electronic networks, including the Internet, are a part of the District's instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication.<sup>2</sup> The Superintendent shall develop an implementation plan for this policy and appoint system administrator(s).<sup>3</sup>

The School District is not responsible for any information that may be lost or damaged, or become unavailable when using the network, or for any information that is retrieved or transmitted via the Internet.<sup>4</sup> Furthermore, the District will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

### Curriculum and Appropriate Online Behavior

The use of the District's electronic networks shall: (1) be consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and (2) comply with the selection criteria for instructional materials and library resource center materials. As required by federal law and Board policy 6:60, *Curriculum Content*, students will be educated about appropriate online behavior, including but not limited to: (1) interacting with other individuals on social networking websites and in chat rooms, and (2) cyberbullying awareness and response.<sup>5</sup> Staff members may, consistent with the Superintendent's implementation plan, use the Internet throughout the curriculum.

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<sup>1</sup> State or federal law requires this subject matter be covered by policy. 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.

A policy on Internet safety is necessary to receive *E-rate* funds under the Elementary and Secondary Education Act, [Student Support and Academic Enrichment Grants Enhancing Education Through Technology](#) (20 U.S.C. §6751-~~et seq~~7131.) and to qualify for universal service benefits under the Children's Internet Protection Act (47 U.S.C. §254(h) and (l)).

<sup>2</sup> This goal is repeated in exhibits 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks*, and 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks*.

<sup>3</sup> Topics for the implementation plan include integration of the Internet in the curriculum, staff training, and safety issues. The implementation plan can also include technical information regarding service providers, establishing Internet accounts, distributing passwords, software filters, menu creation, managing resources and storage capacity, and the number of dial-up lines or access points for users to connect to their accounts. Another topic is investigation of inappropriate use.

<sup>4</sup> No system can guarantee to operate perfectly or to prevent access to inappropriate material; this policy statement attempts to absolve the district of any liability.

<sup>5</sup> Required by 47 U.S.C. §254(h)(5)(B)(iii) and 47 C.F.R. §54.520(c)(i) only for districts that receive *E-rate* discounts for Internet access or plan to become participants in the *E-rate* discount program. All boards receiving an *E-rate* funding for Internet access must certify that they have updated their Internet safety policies. See, *FCC Report and Order 11-125* (August 11, 2011). This sentence is optional if the district only receives discounts for telecommunications, such as telephone service, unless the district plans to participate in the *E-rate* discount program.

The District's electronic network is part of the curriculum and is not a public forum for general use. <sup>6</sup>

### Acceptable Use <sup>7</sup>

All use of the District's electronic networks must be: (1) in support of education and/or research, and be in furtherance of the goals stated herein, or (2) for a legitimate school business purpose. Use is a privilege, not a right.<sup>8</sup> Students and staff members have no expectation of privacy in any material that is stored, transmitted, or received via the District's electronic networks or District computers. General rules for behavior and communications apply when using electronic networks. The District's administrative procedure, *Acceptable Use of the District's Electronic Networks*, contains the appropriate uses, ethics, and protocol.<sup>9</sup> Electronic communications and downloaded material, including files deleted from a user's account but not erased, may be monitored or read by school officials. <sup>10</sup>

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<sup>6</sup> School authorities may reasonably regulate student expression in school-sponsored publications for education-related reasons. Hazelwood School District Dist. v. Kuhlmeier, 408 S.Ct. 562/484 U.S. 260 (1988). This policy allows such control by clearly stating that school-sponsored network information resources are not a "public forum" open for general student use but are, instead, part of the curriculum.

It is an unfair labor practice (ULP) under the Ill. Educational Labor Relations Act (IELRA) for an employer to discourage employees from becoming or remaining members of a union. 115 ILCS 5/14(a)(10), added by P.A. 101-620. In connection with that potential penalty, the IELRA requires employers to establish email policies in an effort to prohibit the use of its email system by outside sources. 115 ILCS 5/14 (c-5), added by P.A. 101-620. This policy aligns with IELRA requirements by clarifying the District's electronic network is not a public forum for general use by outside parties and by limiting use of the network to the purposes stated under the Acceptable Use subhead. However, districts are still prohibited under the First Amendment to the U.S. Constitution from suppressing messages based on viewpoint and may be subject to liability if they affirmatively block individual senders. See Perry Educ. Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37 (1983); Columbia Univ. v. Trump, 302 F.Supp.3d 541 (S.D.N.Y. 2018). Consult the board attorney if the board wants to amend this policy to prohibit access by specific parties and/or before taking steps to "block" any specific party from the district's email system based on the content of the party's message.

<sup>7</sup> This paragraph provides general guidelines for acceptable use regardless of whether Internet use is supervised. The specific rules are provided in exhibits 6:235-AP1, E1, *Student Authorization for Access to the District's Electronic Networks*, and 6:235-AP1, E2, *Staff Authorization for Access to the District's Electronic Networks* (see also f/n 1). This paragraph's application to faculty may have collective bargaining implications.

<sup>8</sup> The "privilege, not a right" dichotomy is borrowed from cases holding that a student's removal from a team does not require due process because such participation is a privilege rather than a right. The deprivation of a privilege typically does not trigger the Constitution's due process provision. Clements v. Board of Education of Decatur Public School District, No. 61, 478 N.E.2d 1209/133 Ill.App.3d 531 (Ill.App.4,4th Dist. 1985). Nevertheless, before access privileges are revoked, the user should be allowed to give an explanation.

<sup>9</sup> If students are allowed only supervised access and are not required to sign the *Authorization for Access to the District's Electronic Networks*, the provisions from the *Authorization* should be used as administrative procedures for covering student Internet use. See 6:235-AP1, *Acceptable Use of the District's Electronic Networks*. This is an optional sentence:

The Superintendent shall establish administrative procedures containing the appropriate uses, ethics, and protocol for Internet use.

The Harassing and Obscene Communications Act criminalizes harassing and obscene electronic communication. ~~(720 ILCS 5/26.5).~~

<sup>10</sup> The Fourth Amendment protects individuals from searches only when the person has a legitimate expectation of privacy. This provision attempts to avoid Fourth Amendment protection for communications and downloaded material by forewarning users that their material may be read or searched, thus negating any expectation of privacy.

Email and computer files are "public records" as defined in the Ill. Freedom of Information Act (FOIA) if they are, as in this policy, "under control" of the school board. ~~(5 ILCS 140/2).~~ They may be exempt from disclosure, however, when they contain information that, if disclosed, "would constitute a clearly unwarranted invasion of personal privacy." ~~(5 ILCS 140/7).~~ Alternatively, a school board may believe that making email semi-private enhances its educational value. The following grants limited privacy to email communications and can be substituted for the sample policy's sentence preceding this footnote:

## Internet Safety 11

Technology protection measures shall be used on each District computer with Internet access. They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by federal law and as determined by the Superintendent or designee.<sup>12</sup> The Superintendent or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Superintendent or system administrator.<sup>13</sup> The Superintendent or designee shall include measures in this policy's implementation plan to address the following: <sup>14</sup>

1. Ensure staff supervision of student access to online electronic networks, <sup>15</sup>
2. Restrict student access to inappropriate matter as well as restricting access to harmful materials,
3. Ensure student and staff privacy, safety, and security when using electronic communications,
4. Restrict unauthorized access, including "hacking" and other unlawful activities, and
5. Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as, names and addresses.

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School officials will not intentionally inspect the contents of email without the consent of the sender or an intended recipient, unless as required to investigate complaints regarding email that is alleged to contain material in violation of this policy or the District's administrative procedure, *Acceptable Use of the District's Electronic Networks*.

<sup>11</sup> See f/n 1.

<sup>12</sup> This sample policy language is broader than the requirements in federal law (20 U.S.C. §~~6777~~1131, 47 U.S.C. §254, and 47 C.F.R. §54.520(c)(i)). It does not distinguish between minors (children younger than 17) and non-minors. The terms, *minor*, *obscene*, *child pornography*, and *harmful to minors* have not changed, but are now explicitly referred to in the regulations at 47 C.F.R. §54.520(a). Federal law defines *harmful to minors* as:

...any picture, image, graphic image file, or other visual depiction that—(i) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (ii) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (iii) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The Federal Communications Commission specifically declined to find that access to *Facebook* or *MySpace* are per se *harmful to minors*. School officials have discretion about whether or not to block access to these and similar sites. See *supra* f/n 3.

<sup>13</sup> Permitted by 20 U.S.C. §~~6777~~1131(c). The policy's provision for prior approval is not in the law and may be omitted. The entire sentence may be eliminated if a board does not want the filtering device to be disabled.

<sup>14</sup> In order to qualify for universal service benefits under the federal Children's Internet Protection Act (CIPA), the district's Internet safety policy must address the items listed in the sample policy\_ (47 U.S.C. §254(l)). The sample policy accomplishes this task by requiring these items be addressed in the policy's implementation plan or administrative procedure.

Note that federal law requires the school board to hold at least one hearing or meeting to address the *initial* adoption of the Internet safety policy. Later revisions of the existing policy need not follow the public notice rule of CIPA, though a board will still need to follow its policy regarding revisions and the mandates of ~~the III. Freedom of Information Act~~FOIA.

CIPA also requires this policy and its documentation to be retained for at least ~~five~~five years after the last day of service delivered in a particular funding year. This means the five year retention requirement begins on the last day of service delivered under E-rate, not from the day the policy was initially adopted. Consult the board attorney about this requirement and the best practices for your individual board.

<sup>15</sup> Monitoring the online activities of *students* is broader than the requirement in federal law to monitor *minors*. The definition of minor for this purpose is "any individual who has not attained the age of 17 years." See 47 C.F.R. 54.520(a)(4)(i). The use of the word *students* is a best practice.



## Authorization for Electronic Network Access 16

Each staff member must sign the *Authorization for Access to the District's Electronic Networks* as a condition for using the District's electronic network. Each student and his or her parent(s)/guardian(s) must sign the *Authorization* before being granted unsupervised use. 17

All users of the District's computers to access the Internet shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the network.

The failure of any student or staff member to follow the terms of the District's administrative procedure, *Acceptable Use of the District's Electronic Networks*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

- LEGAL REF.: No Child Left Behind Act, 20 U.S.C. §6777.  
Children's Internet Protection Act, 47 U.S.C. §254(h) and (l).  
Enhancing Education Through Technology Act, 20 U.S.C §6751 et seq.  
47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.  
720 ILCS 5/26.5.
- CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:210 (Instructional Materials), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct), 6:230 (Library Media Program), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:310 (Restrictions on Publications; Elementary Schools)
- ADMIN. PROC.: 6:235-AP1 (Administrative Procedure - Acceptable Use of the District's Electronic Networks), 6:235-AP1, E1 (Student Authorization for Access to the District's Electronic Networks), 6:235-AP1, E2 (Exhibit - Staff Authorization for Access to the District's Electronic Networks)

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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 The District's administrative procedure, [6:235-AP1, \*Acceptable Use of the District's Electronic Networks\*](#), ~~(6:235-AP1)~~, rather than this board policy, specifies appropriate conduct, ethics, and protocol for Internet use. This is consistent with the principle that detailed requirements are not appropriate for board policy; instead, they should be contained in separate district documents that are authorized by board policy. Keeping technical rules specifying acceptable use out of board policy will allow for greater flexibility, fewer changes to the policy manual, and adherence to the belief that board policy should be confined to governance issues and the provision of guidance on significant district issues.

17 The Superintendent's implementation plan should describe appropriate supervision for students on the Internet who are not required, or refuse, to sign the *Authorization*.

The use of personal electronic communication devices owned by students but used to gain Internet access that has been funded by *E-rate* is not addressed yet. The FCC has indicated that it does plan to address the issues associated with the application of CIPA requirements to this situation.

## Instruction

### Grading and Promotion 1

The Superintendent or designee shall establish a system of grading and reporting academic achievement to students and their parents/guardians.<sup>2</sup> The system shall also determine when promotion and graduation requirements are met. The decision to promote a student to the next grade level shall be based on successful completion of the curriculum, attendance, and performance on the standardized tests required by the Illinois State Board of Education (ISBE) –Partnership for Assessment of Readiness for College and Careers (PARCC) and/or other assessments.<sup>3</sup> A student shall not be promoted based upon age or any other social reason not related to academic performance.<sup>4</sup> The administration shall determine remedial assistance for a student who is not promoted.<sup>5</sup>

Every teacher shall maintain an evaluation record for each student in the teacher's classroom. A District administrator cannot change the final grade assigned by the teacher without notifying the teacher.<sup>6</sup> Reasons for changing a student's final grade include:

- A miscalculation of test scores,
- A technical error in assigning a particular grade or score,
- The teacher agrees to allow the student to do extra work that may impact the grade,
- An inappropriate grading system used to determine the grade, or
- An inappropriate grade based on an appropriate grading system.

Should a grade change be made, the administrator making the change must sign the changed record.

**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 districts to have a school board policy containing the reasons for which a grade may be changed and prohibiting social promotion. 105 ILCS 5/10-20.9a. State law controls this policy's content.

If a district uses weighted grades for classes by degree of difficulty, it must be reflected in the affected students' class ranking and permanent records. 105 ILCS 5/27-27.

<sup>2</sup> Absent a court order to the contrary, upon the request of either parent of a student whose parents are divorced, copies of report cards, along with other notices and records, must be furnished to both parents by the district. 105 ILCS 5/10-21.8.

<sup>3</sup> 105 ILCS 5/10-20.9a. Each board may determine its own promotion criteria and augment the statute's criteria.

Until July 1, 2014, 105 ILCS 5/2-3.64 contained the State assessment program; until it was repealed by P.A. 98-972.

105 ILCS 5/2-3.64a-5(b) 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 selects standardized tests for the Partnership for Assessment of Readiness for College and Careers (PARCC) as the State assessment and accountability measure. In House Joint Resolution 54 (2015), members of the Ill. House and Senate encouraged school districts to not use results of the Partnership for Assessment of Readiness for College and Careers (PARCC) test for the 2014-2015 through the 2017-2018 school years "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." Starting in 2019, PARCC was no longer used by ISBE.

105 ILCS 5/2-3.64a-5(c), amended by P.A. 100-7, requires that the assessment administered by ISBE for the purpose of student application to or admissions consideration by institutions of higher education be administered on a school day during regular student attendance hours.

105 ILCS 5/2-3.64a-5(e), amended by P.A. 100-222, no longer requires that the scores attained by a student on an assessment that includes a college and career readiness determination be entered on the student's transcript; however, the scores must still be placed in the student's permanent record. See also 23 Ill.Admin.Code §375.10.

<sup>4</sup> 105 ILCS 5/10-20.9a(b).

<sup>5</sup> Id.

<sup>6</sup> The specific reasons and procedure for changing a grade are at the local board's discretion; however, State law provides that no grade may be changed without notification to the teacher concerning the nature and reason for the change. 105 ILCS 5/10-20.9a(a). The person making the change must assume all responsibility and must initial the change. Id.

LEGAL REF.: 105 ILCS 5/2-3.64a-5, 5/10-20.9a, 5/10-21.8, and 5/27-27.

CROSS REF.: 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:300 (Graduation Requirements), 6:340 (Student Testing and Assessment Program), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

Draft

## Students

### Attendance and Truancy 1

#### Compulsory School Attendance 2

This policy applies to individuals who have custody or control of a child: (a) between the ages of six (on or before September 1) and 17 years (unless the child has graduated from high school), or (b) who is enrolled in any of grades kindergarten through 12 in the public school regardless of age.

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 as determined by the Board, voting pursuant to policy 7:90, Release During School Hours (10 ILCS 5/7-42 and 5/17-15), other circumstances that cause reasonable concern to the parent/guardian for the student’s mental, emotional, or physical safety or health or safety, or other reason as approved by the Superintendent or designee. 3

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 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 identifying supportive services and available resources for *truants* and *chronic truants* (defined in 105 ILCS 5/26-2a, amended by P.A. 100-918). 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 unexcused student absenteeism.

<sup>2</sup> 105 ILCS 5/26-2, amended by P.A. 100-825, 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.

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

<sup>3</sup> These reasons are in 105 ILCS 5/26-2a, amended by P.A. 100-810, except that (1) “other reason as approved by the Superintendent,” and (2) absences for students to vote authorized by 10 ILCS 5/7-42 and 5/17-15, amended by P.A. 101-624, eff. 6-1-20 were added. An Ill. State Board of Education (ISBE) rule requires that the absenteeism and truancy policy defines valid causes for absence. 23 Ill.Admin.Code §1.290.

For elementary districts, delete the following phrase from the second sentence of this paragraph: “voting pursuant to policy 7:90, Release During School Hours (10 ILCS 5/7-42 and 5/17-15).” and delete 7:90, Release During School Hours, from the Cross References.

For high school and unit districts that do not wish to include the Voting subhead in policy 7:90, Release During School Hours, amend the second sentence of this paragraph as follows: “~~policy 7:90, Release During School Hours (the Election Code, 10 ILCS 5/7-42 and 5/17-15.)~~” and delete 7:90, Release During School Hours from the Cross References.

## 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. <sup>4</sup>
2. A protocol for excusing a student in grades 6 through 12 from attendance to sound *Taps* at a military honors funeral held in Illinois for a deceased veteran. <sup>5</sup>
3. A protocol for excusing a student from attendance on a particular day(s) or at a particular time of day when his/her parent/guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings. <sup>6</sup>
4. A process to telephone, within two hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification. <sup>7</sup>
5. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in [the School Code, Section 105 ILCS 5/26-2a](#).
6. 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. <sup>8</sup>

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

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

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

<sup>5</sup> 105 ILCS 5/26-1, ~~amended by P.A. 99-804~~. 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 sound *Taps* 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.

<sup>6</sup> 105 ILCS 5/26-1, amended by P.A. 100-185. Such a student must be granted five days of excused absences in any school year and, at the board's discretion, may be granted additional excused absences to visit the student's parent/guardian. The student and his/her parent/guardian are responsible for obtaining assignments from the student's teacher prior to any period of excused absence and for ensuring that such assignments are completed by the student prior to his/her return to school from the excused absence period. *Id.*

<sup>7</sup> This notification is required by 105 ILCS 5/26-3b.

<sup>8</sup> 23 Ill.Admin.Code §1.290(b)(2).

~~105 ILCS 5/10-20.63, added by P.A. 100-163, requires school districts to make feminine hygiene products (defined as tampons and sanitary napkins for use in connection with the menstrual cycle) available, at no cost to students, in the bathrooms of school buildings serving students in grades 6 through 12. The General Assembly found this requirement necessary because "when students do not have access to affordable feminine hygiene products, they may miss multiple days of school every month." 105 ILCS 5/10-20.63(a)(3).~~

7. The identification of supportive services that may be offered to truant, chronically truant, or chronically absent students, including parent-teacher conferences, student and/or family counseling, or information about community agency services.<sup>9</sup> See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.
8. Reasonable efforts to provide ongoing professional development to teachers, administrators, Board members, school resource officers, and staff on the appropriate and available supportive services for the promotion of student attendance and engagement. <sup>10</sup>
9. 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>11</sup>
10. 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>12</sup>

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

<sup>9</sup> 23 Ill.Admin.Code §1.290(b)(3). The School Code references to dropout prevention include: 105 ILCS 5/26-3a (regional superintendent activities and annual report); 105 ILCS 5/10-20.25a (annual report by boards); and 105 ILCS 5/1A-4(E) (ISBE report).

105 ILCS 5/26-18, added by P.A. 100-156, requires ~~that, beginning 7-1-18,~~ districts to collect and review chronic absence data and determine what systems of support and resources are needed to engage chronically absent students and their families to encourage the habit of daily attendance and promote success. 105 ILCS 5/26-18(c). The review must include an analysis of chronic absence data from each attendance center. *Id.* Districts are also encouraged to: (1) provide a system of support to students at risk of reaching or exceeding chronic absence levels, i.e., those available through the Illinois Multi-tiered Systems of Support Network; and (2) make resources available to families, i.e., those available through ISBE's Family Engagement Framework, to support and engage students and their families. 105 ILCS 5/26-18(d). *Chronic absence* means "absences that total 10% or more of school days of the most recent school year, including absences with and without valid cause, as defined in Section 26-2a of this Code, and out-of-school suspensions for an enrolled student." 105 ILCS 5/26-18(a). In contrast, a *chronic or habitual truant* is "a child who is subject to compulsory school attendance and who is absent without valid cause from such attendance for 5% or more of the previous 180 regular attendance days." 105 ILCS 5/26-2a.

<sup>10</sup> 105 ILCS 5/10-22.6(c-5), amended by P.A. 100-810, ~~eff. 1-1-19~~.

<sup>11</sup> Use this alternative for districts in suburban Cook County: replace "Regional Office of Education" with "appropriate Intermediate Service Center."

<sup>12</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.

Counties 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. 65 ILCS 5/11-5-9. Local officials or authorities that enforce, prosecute, or adjudicate municipal ordinances adopted under 65 ILCS 5/11-5-9, or that work with school districts to address truancy problems, are designated as: (a) part of the juvenile justice system, established by the Juvenile Court Act of 1987, and (b) *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-AP1, *School Student Records*, for a sample procedure for release of such records to juvenile authorities.

11. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a truant minor for his or her truancy unless available supportive services and other school resources have been provided to the student. **13**
12. 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. **14**

*[For high school and unit districts only]*

13. A process for a 17-year-old resident to participate in the District's various programs and resources for truants.<sup>15</sup> The student must provide documentation of his/her dropout status for the previous six 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*.
14. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum attendance standards according to provisions in State law. A parent/guardian has the right to appeal a decision to exclude a student. **16**

LEGAL REF.: 105 ILCS 5/26-1 through 16.  
705 ILCS 405/3-33.5, Juvenile Court Act of 1987.  
23 Ill.Admin.Code §§1.242 and 1.290.

CROSS REF.: 5:100 (Staff Development Program), 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

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<sup>13</sup> 105 ILCS 5/26-12, amended by P.A. 100-825, prohibits punitive action "unless available supportive services and other school resources have been provided to the student." In addition, "a truant minor may not be expelled for nonattendance unless he or she has accrued 15 consecutive days of absences without valid cause and the student cannot be located by the school district or the school district has located the student but cannot, after exhausting all available support services, compel the student to return to school." *Id.*

<sup>14</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."

This statute also requires the "clerk or secretary" of the board to quarterly report to the regional superintendent and Secretary of State the identity of students who were removed from the regular attendance roll, exclusive of transferees, because they were expelled; have withdrawn; left school; withdrew due to extraordinary circumstances; have re-enrolled in school since their names were removed from the attendance rolls; were certified to be chronic or habitual truants; or were previously certified as chronic or habitual truants who have resumed regular school attendance. The statute provides that the status of a driver's license or instructional permit will be jeopardized for a student who is the subject of this notification because of non-attendance unless the non-attendance is due to extraordinary circumstances as determined by the local district. State Superintendent Koch announced in his *Weekly Message*, 8-28-07, see **Funding & Disbursements** subhead, p.2, at: [www.isbe.net/Documents\\_Superintendent\\_Weekly\\_Message/message\\_082807.pdf](http://www.isbe.net/Documents_Superintendent_Weekly_Message/message_082807.pdf), that ISBE is delaying implementing this statute based upon legal guidance from the U.S. Dept. of Education's Family Policy Compliance Office that its implementation would violate the federal Family Educational Rights and Privacy Act.

<sup>15</sup> 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.

<sup>16</sup> Optional, but provided in 105 ILCS 5/26-2(c)(3), amended by P.A. 100-825; ISBE's rule controls the appeal process, 23 Ill.Admin.Code §1.242.

Instruction/Observance), [7:90 \(Release During School Hours\)](#), 7:190 (Student Behavior), 7:340 (Student Records)

Draft



## Students

### Release During School Hours 1

For safety and security reasons, a prior written or oral consent of a student's custodial parent/guardian is required before a student is released during school hours: (1) at any time before the regular dismissal time or at any time before school is otherwise officially closed, and/or (2) to any person other than a custodial parent/guardian.

### Early Dismissal Announcement

The Superintendent or designee shall make reasonable efforts to issue an announcement whenever it is necessary to close school early due to inclement weather or other reason.

[\[For high school and unit districts only\]](#)

### Voting 2

[The Superintendent or designee shall specify the hours during which students who are entitled to vote at a primary, general, or special election, or any election at which propositions are submitted to a popular vote in Illinois, may be absent from school for a period of two hours to vote. Students are entitled to be absent from school to vote beginning the 15th day before the primary, general, or](#)

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**1** This sample policy and its contents are discretionary with each school board. Sample PRESS policy 4:170, *Safety*, authorizes the Superintendent to close school(s) in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or school property.

Planning for unforeseen early dismissals furthers a positive parent-school relationship and reduces the possibility of unsupervised children. According to this sample policy's introductory section, the school does not need prior parental consent before releasing students for an early dismissal even when it is unforeseen. The second section, however, requires the superintendent or designee to use *reasonable efforts* to announce an early dismissal. The *reasonable efforts* could be satisfied, for example, by a website posting, telephone chain notification, or recorded message on the school's telephone.

**2** [Optional. While 10 ILCS 5/7-42\(b\) and 5/17-15\(b\), amended by P.A. 101-624, eff. 6-1-20, do not require this information to be in policy, including it aligns with best practice \(ensuring compliance and aligning with good governance principles\).](#)

[Including it also serves several policy functions and purposes: ensuring legal compliance, directing or authorizing the superintendent or staff members, and/or providing information.](#)

[To implement this law, each board and superintendent may wish to engage in a conversation about balancing the students' right to be absent from school with the district's attendance and safety and security goals and its right to minimize disruption to the educational process and/or ensure orderly operation of a school. Factors affecting implementation will depend upon a board's local conditions and the community expectations that may include, but not be limited to: \(1\) the board attorney's recommendations, \(2\) the district's budget parameters, if any, for any increased security needs during the 15 days before and the day of the qualifying elections, \(3\) each individual building's unique needs, and \(4\) the community's expectations.](#)

[The superintendent and building principal may implement this policy differently in different buildings. Once the board and superintendent or designee determine implementation logistics, these should be communicated in student handbooks. A comprehensive student handbook can provide notice of the school's conduct rules, extracurricular and athletic participation requirements, and other important information. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board. The Ill. Principals Association maintains a handbook service that coordinates with PRESS material, \*Online Model Student Handbook \(MSH\)\*, at: \[www.ilprincipals.org/resources/model-student-handbook\]\(http://www.ilprincipals.org/resources/model-student-handbook\).](#)

[For high school and unit districts not wanting to include this subhead, delete it and the Legal Reference to it in this policy, delete it from the Cross References in policy 7:70, \*Attendance and Truancy\*, and follow the instructions listed in paragraph three of f/n 3 of policy 7:70, \*Attendance and Truancy\*.](#)

special election, or any election at which propositions are submitted to a popular vote in Illinois, or on the day of such election.

LEGAL REF.: 10 ILCS 5/7-42(b) and 5/17-15(b), Election Code.

CROSS REF.: 4:170 (Safety)

Draft

## Students

### Student Rights and Responsibilities 1

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.<sup>2</sup> Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.<sup>3</sup>

Students may, during the school day, during noninstructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, are not sponsored, promoted, or endorsed in any manner by the school or any school employee.<sup>4</sup> *Noninstructional time* means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends.<sup>5</sup>

LEGAL REF.: 20 U.S.C. §7904.  
105 ILCS 20/5.  
Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:190 (Student Behavior)

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> In 1969 the U.S. Supreme Court changed the relationship between schools and students by finding that students "do not shed their constitutional rights at the schoolhouse door." Tinker v. Des Moines Independent Sch. Dist., 89 S.Ct. 733 (1969).

<sup>3</sup> Consult the board attorney to ensure the district's non-discrimination coordinator and complaint managers are trained to appropriately respond to allegations of discrimination based upon bullying and/or sexual violence under Title IX's sexual harassment umbrella. The U.S. Dept. of Education's guidance states that while acts of sexual violence are crimes, they may also be discrimination under Title IX. See *Dear Colleague Letter: Sexual Violence Background, Summary, and Fast Facts*, U.S. Dept. of Education Office for Civil Rights, 111 LRP 23852 (OCR-04/04/April 4, 2011), at [www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html](http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html) [www.ed.gov/about/offices/list/ocr/letters/colleague-201104.html](http://www.ed.gov/about/offices/list/ocr/letters/colleague-201104.html).

<sup>4</sup> This language is from 105 ILCS 20/5, amended by P.A. 99-410. The statute provides these examples of religious-based meetings: prayer groups, B I B L E (Basic Instruction Before Leaving Earth) clubs, and *meet at the flagpole for prayer days*. **Districts with secondary schools should amend the Cross References by adding "7:330 (Student Use of Buildings - Equal Access)."**

In addition, federal law requires districts to certify that "no [district] policy... prevents, or otherwise denies participation in, constitutionally protected prayer in both public elementary and secondary schools." (20 U.S.C. §7904(b)). The State provides certification instructions and the U.S. Dept. of Education provides guidance on constitutionally protected prayer in public schools. (See *Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools*, [www.ed.gov/policy/gen/guid/religionandschools/prayer\\_guidance.html](http://www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html)). Certification with the Ill. State Board of Education occurs through the signed assurances that a superintendent provides through the grant application process.

<sup>5</sup> 105 ILCS 20/5.

## Students

### Student Fundraising Activities 1

No individual or organization is allowed to ask students to participate in fundraising activities while the students are on school grounds during school hours or during any school activity. Exceptions are:

1. School-sponsored student organizations; and
2. Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs*.

The Superintendent or designee shall manage student fundraising activities in alignment with the following directives: 2

1. Fundraising efforts shall not conflict with instructional activities or programs.
2. For any school that participates in the School Breakfast Program or the National School Lunch Program, fundraising activities involving the sale of food and beverage items to students during the school day while on the school campus must comply with the Ill. State Board of Education rules concerning the sale of competitive food and beverage items. 3
3. Participation in fundraising efforts must be voluntary.
4. Student safety must be paramount. 4
5. For school-sponsored student organizations, a school staff member must supervise the fundraising activities and the student activity funds treasurer must safeguard the financial accounts.
6. The fundraising efforts must be to support the organization's purposes and/or activities, the general welfare, a charitable cause, or the educational experiences of students generally.
7. The funds shall be used to the maximum extent possible for the designated purpose.

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

**1** State law requires this subject matter be covered by policy. 105 ILCS 5/10-20.19(3) requires districts to have rules governing: (1) "conditions under which school classes, clubs, and associations may collect or acquire funds," and (2) "the safekeeping of such funds for the educational, recreational, or cultural purposes they are designed to serve."

**2** Except for #2 ([see f/n 3, below](#)), all numbered directives are optional and may be deleted or amended. These directives are intended to comply with 105 ILCS 5/10-20.19(3) by stating the conditions under which funds may be collected and by providing for their safekeeping.

**3** Selling popular food items to raise funds is restricted by federal and State rules. ISBE limits the sale of competitive food and beverages sold to students on the school campus of any school that participates in the School Breakfast Program or the National School Lunch Program (*participating schools*). ~~23~~ Ill.Admin.Code §305.15(a). *Competitive foods* are all food and beverages that are offered by any person, organization, or entity for sale to students on the school campus during the school day that are not reimbursed under programs authorized by federal law. ~~7~~ C.F.R. §210.11(a)(2); 23 Ill.Admin.Code §305.5). ~~Beginning in the 2015-16 school year, Participating schools with grades 8 and below have zero exempted fundraising days, and participating schools with grades 9-12 may have no more than nine~~ <sup>9</sup> ~~exempted fundraising days.~~ [23 Ill.Admin.Code §305.15 \(b\)\(2\)\(A\)-\(B\)](#). *Exempted fundraising day* means a school day on which foods and/or beverages not meeting the "general nutrition standards for competitive foods" may be sold to students on the school campus. ~~7~~ C.F.R. §210.11 (b)(4); 23 Ill.Admin.Code §305.5). See 4:120, *Food Services*; 4:120-AP, *Food Services; Competitive Foods; Exemptions*.

**4** Two alternatives follow:

- |                |  |
|----------------|--|
| Alternative 1: | 4. Student safety must be paramount <u>and door-to-door solicitations are prohibited.</u>  |
| Alternative 2: | 4. Student safety must be paramount <u>and door-to-door solicitations are discouraged.</u> |

8. Any fundraising efforts that solicit donor messages for incorporation into school property (e.g., tiles or bricks) or placement upon school property (e.g., posters or placards) must: <sup>5</sup>
  - a. Develop viewpoint neutral guidelines for the creation of messages;
  - b. Inform potential donors that all messages are subject to review and approval, and that messages that do not meet the established guidelines must be resubmitted or the donation will be returned; and
  - c. Place a disclaimer on all fundraising information and near the completed donor messages that all messages are “solely the expression of the individual donors and not an endorsement by the District of any message’s content.”

LEGAL REF.: 105 ILCS 5/10-20.19(3).  
23 Ill.Admin.Code Part 305, School Food Service.

CROSS REF.: 4:90 (Activity Funds), 4:120 (Food Services), 8:80 (Gifts to the District), 8:90 (Parent Organizations and Booster Clubs)

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<sup>5</sup> The issue of soliciting or receiving donor messages is an unsettled area of the law that is frequently litigated because of its many complex legal and practical issues. The U.S. Constitution’s Free Speech, Establishment, and Equal Protection Clauses may be triggered. As a general rule, school officials can avoid constitutional issues by reviewing donor messages according to uniform rules that do not discriminate on the basis of viewpoint. Requiring that donor messages go through a thorough review process prior to their permanent placement on any medium can avoid issues that may occur when messages are reviewed after placement and found to be unacceptable. For sample cases discussing the issue of a district’s exclusion of donor messages on school property, see Fleming v. Jefferson County Sch. Dist. R-1, 298 F.3d 918 (10th Cir. 2002), *cert. denied* (school’s restriction on the use of religious symbols on tiles that would become a part of the rebuilt school allowed because the messages were school-sponsored speech, and the restrictions had a reasonable relation to legitimate teaching concerns); DiLoreto v. Downey Unified Sch. Dist. Bd. of Educ., 196 F.3d 958 (9th Cir. 1999), *cert. denied* (school district’s refusal to post an advertisement featuring the text of the Ten Commandments on its baseball field upheld because the field was a nonpublic forum for a limited purpose); Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied* (school district disallowed religious symbols on Bible Club’s mural so it would not have to allow speech that would cause a disruption like white supremacists who wanted to display the swastika); and Kiesinger v. Mexico Acad. and Central Sch., 427 F.Supp. 2d 182 (N.D.N.Y. 2006)(school district’s removal of bricks inscribed with a donor’s religious messages from a walkway in front of a school was viewpoint discrimination because the district allowed messages about God generally, but not a specific religious viewpoint on God).

## Community Relations

### Connection with the Community

#### Public Relations

The Board President is the official spokesperson for the School Board. The Superintendent is the District's chief spokesperson. The Superintendent or designee shall plan and implement a District public relations program that will: <sup>1</sup>

1. Develop community understanding of school operation.
2. Gather community attitudes and desires for the District.
3. Secure adequate financial support for a sound educational program.
4. Help the community feel a more direct responsibility for the quality of education provided by their schools.
5. Earn the community's good will, respect, and confidence.
6. Promote a genuine spirit of cooperation between the school and the community.
7. Keep the news media accurately informed.
8. Coordinate with the District Safety Coordinator to provide accurate and timely information to the appropriate individuals during an emergency.

The public relations program should include:

1. Regular news releases concerning District programs, policies, activities, and special event management for distribution by, for example, posting on the District website, using social media platforms,<sup>2</sup> e.g., Facebook, Twitter, etc., or sending to the news media.
2. News conferences and interviews, as requested or needed. The Board President and Superintendent will coordinate their respective media relations efforts. Individuals may speak for the District only with prior approval from the Superintendent. <sup>3</sup>

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<sup>1</sup> These objectives are examples only and should be customized for each district. The District Safety Coordinator is identified as the responsible person for compiling information and preparing communications covering an emergency or crisis (4:170-AP1, *Comprehensive Safety and ~~Crisis~~ Security Plan*). An alternative to the entire first subhead follows:

The Board President is the official spokesperson for the School Board. The Superintendent is the District's chief spokesperson. The Superintendent or designee shall plan and implement a District public relations program to keep the community informed and build support through open and authentic communications. The public relations program shall include, without limitation, media relations; internal communications; communications to the community; communications to students and parents/guardians; emergency communications in coordination with the District Safety Coordinator; the District website and social media platforms/channels; and other efforts to reach all audiences using suitable mediums.

<sup>2</sup> District social media accounts are likely either limited public forms or public forums. See Knight First Amendment Inst. at Columbia Univ. v. Trump, 302 F.Supp.3d 541 (S.D.N.Y. 2018) (holding that the @realDonaldTrump Twitter account is a public forum under the First Amendment; therefore, (a) it could not exclude plaintiffs based simply on their views because excluding them on that basis is a violation their First Amendment right to petition their government, and (b) by purging critics from the @realDonaldTrump account, the White House deprived those who remained in the public forum the opportunity to hear the critics). Consider that school districts are different than the President of the United States and must ensure other duties to students, e.g., safety and security, which may require excluding certain comments from the district's social media accounts.

3. Publications having a high quality of editorial content and effective format. All publications shall identify the District, school, department, or classroom and shall include the name of the Superintendent, the Building Principal, and/or the author and the publication date.
4. Other efforts that highlight the District's programs and activities. <sup>4</sup>

### Community Engagement <sup>5</sup>

Community engagement is a process that the Board uses to actively involve diverse citizens in dialogue, deliberation, and collaborative thinking around common interests for the District's schools. <sup>6</sup>

The Board, in consultation with the Superintendent, determines the purpose(s) and objective(s) of any community engagement initiative.

For each community engagement initiative;<sup>;</sup>

1. ~~¶~~The Board will; <sup>7</sup>
  - a. ~~e~~Commit to the determined purpose(s) and objective(s), and
  - b. ~~p~~Provide information about the expected nature of the public's involvement.<sup>;</sup>
2. ~~¶~~The Superintendent ~~or designee~~ will; <sup>8</sup>
  - a. Identify the effective tools and tactics that will advance the Board's purpose(s) and objective(s).<sub>;</sub>
  - b. ~~The Superintendent will: (1) a~~At least annually, prepare a report ~~for the of each~~ community engagement initiative, and/or ~~(2)~~
  - c. ~~p~~Prepare a final report of ~~the each~~ community engagement initiative.

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<sup>3</sup> In alignment with the IASB "Foundational Principles of Effective Governance," the school board president is the board's spokesperson (see 2:110, *Qualifications, Term, and Duties of Board Officers*) and the superintendent is the district's spokesperson.

<sup>4</sup> Examples of such programs include senior citizens' brunches, realtors' luncheons, and building tours.

<sup>5</sup> This section is optional. A board that includes this subhead should complete the work necessary to develop and implement a community engagement initiative. See *Connecting with the Community: The Purpose and Process of Community Engagement as Part of Effective School Board Governance*, (*Connecting with the Community*) ~~available at~~ [www.iasb.com/IASB/media/Documents/communityengagement.pdf](http://www.iasb.com/IASB/media/Documents/communityengagement.pdf) ~~iasb.mys1cloud.com/communityengagement.pdf~~. This publication and other materials about community engagement are listed at: [www.iasb.com/training/connecting.cfm](http://www.iasb.com/training/connecting.cfm).

The community engagement process differs from public relations (discussed in the **Public Relations** section, above) or public polling. Public relations push out information to the community. Public polling pulls information or opinions from the community. While most school districts understand how to push and pull information from their communities, the community engagement process is part of the two-way conversation for school boards that involves listening. Listening should not be limited only to the public comment period during board meetings. It is reaching out to the community and having conversations not only with parents but other community members, and then taking into consideration their thoughts and ideas as boards make their decisions. This method of listening must be purposeful for community engagement to work as intended.

<sup>6</sup> Optional. This sentence applies the definition of community engagement to a board and its school district. See *Connecting with the Community*, pg. 9, ~~available at~~ [www.iasb.com/IASB/media/Documents/communityengagement.pdf](http://www.iasb.com/IASB/media/Documents/communityengagement.pdf) ~~iasb.mys1cloud.com/communityengagement.pdf~~.

An alternative introductory sentence that repeats the definition of community engagement follows: "For purposes of this policy, community engagement is the process that school boards use to actively involve diverse citizens in dialogue, deliberation and collaborative thinking around common interests for their public schools."

<sup>7</sup> This action clarifies a board's reason(s) for engaging its community in an initiative and frames it to share with all participants in the process. ~~(Connecting with the Community, pg. 10).~~

<sup>8</sup> See *Connecting with the Community* at pg. 10 for examples of resources that a superintendent could use to implement the board's purpose and objectives.

The Board will periodically: (1) review whether its community engagement initiative(s) are achieving the identified purpose(s) and objective(s); (2) consider what, if any, modifications would improve effectiveness; and (3) determine whether to continue individual initiatives.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers)

Draft



## 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 or school-sanctioned events or activities. 2

**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/guardians, friends, and/or community members are invited onto school property or when community members are attending Board meetings, 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. 3

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member 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. 4

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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. See f/n 20 below.

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 School-sponsored or school-sanctioned events or activities aligns with the text of 105 ILCS 5/27-23.7(a).

3 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.

4 105 ILCS 5/14-8.02(g-5). See administrative procedure 6:120-AP2, *Access to Classrooms and Personnel*, and exhibit 6:120-AP2, E1, *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, Board member, sports official or coach, or any other person. **5**
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. **6**
4. Damage or threaten to damage another's property. **7**
5. Damage or deface school property. **8**
6. Violate any Illinois law,<sup>9</sup> or town or county ordinance.
7. Smoke or otherwise use tobacco products. **10**
8. Distribute, consume, use, possess, or be impaired by or under the influence of an alcoholic beverage, cannabis, other lawful product, or illegal drug. **11**
9. Be present when the person's alcoholic beverage, cannabis, other lawful product, or illegal drug consumption is detectible, regardless of when and/or where the use occurred. **12**

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**5** See e.g., 720 ILCS 5/12-2 (aggravated assault); 5/12-3.05(c) ~~and (d)(3) (crimes aggravated battery on school-public property; aggravated battery); 5/12-3.05(d)(3) (a sports official or coach or aggravated battery against a school employee); 5/12-2(b)(9) (aggravated assault against a sports official or coach);~~ 5/12-9 (threats to public officials); 5/24-1.2 (discharge of a firearm).

**6** 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) ~~amended by P.A. 99-29~~. The following optional provision adds that exception, which is a restatement of 430 ILCS 66/65(b) ~~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 ~~and unlawful delivery or sale of a 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).

**7** 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).

**8** See e.g., 720 ILCS 5/21-1.01, 21-1.3.

**9** 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 (repealed), and 5/11-18 (patronizing a prostitute); 720 ILCS 5/21-11 (soliciting students to commit illegal act).

**10** 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. §6083); districts failing to comply with the federal no-smoking ban risk a civil penalty of up to \$1000 per violation per day.

**11** See 720 ILCS 570/407 (delivery of controlled substance on or within 1000 feet of a school) and 410 ILCS 705, added by P.A. 101-27. See also the discussion in f/ns 5 and 6 of policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*; this statement must be consistent with employee working conditions and employee conduct standards (see 5:120-AP2, *Employee Conduct Standards*).

**12** Each board and superintendent may want to engage in a conversation regarding how the district might partner with local law enforcement to enforce this policy and the penalties available under the Cannabis Regulation Tax Act, e.g., posting signs barring community members from bringing in weapons, alcohol, cannabis, tobacco, etc. Signage reminding visitors of the policy may make it easier for staff and/or local law enforcement to enforce.

10. Use or possess medical cannabis, unless he or she has complied with policy 7:270, *Administering Medicines to Students*, implementing *Ashley's Law*. **13**
11. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner). **14**
12. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board.
13. 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. **15**
14. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding. **16**
15. Violate other District policies or regulations, or a directive from an authorized security officer or District employee.
16. Engage in any conduct that interferes with, disrupts, or adversely affects the District or a School function.

#### Convicted Child Sex Offender **17**

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

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**13** Managing cannabis on district property and the school setting presents many unsettled and complex legal issues. To legally use medical cannabis in Illinois, 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 Program Act (Medical Cannabis Program Act (MCPA)). 410 ILCS 130/, amended by P.A. 101-363, eff. 1-1-20 and scheduled to be repealed on 7-1-20. 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), and (4), amended by P.A. 101-363, eff. 1-1-20 and scheduled to be repealed on 7-1-20. However, *Ashley's Law*, 105 ILCS 5/22-33(b) and (g), added by P.A. 100-660, allows *designated caregivers* to administer medical cannabis infused products to students who are *registered qualifying patients* at school or on the school bus, and requires school boards to adopt a policy to implement the law unless the district would lose federal funding. See policy 7:270, *Administering Medicines to Students* and its f/n 20.

Remember that *Ashley's Law* requires the designated caregiver to remove the product from the school premises or the school bus after administering it to the student, so as a result, policy 7:270, *Administering Medicines to Students*, requires immediate removal of medical cannabis infused products after administering them to the student (see f/n 25 of that policy for further discussions).

**14** See e.g., 720 ILCS 5/21.2-1 *et seq.* (interference with a public institution of education).

**15** See e.g., 625 ILCS 5/11-605 (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.

**16** 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.

**17** 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.*); Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105); policy 4:170, *Safety*; and administrative procedure 4:175-API, *Criminal Offender Notification Laws; Screening*.

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.

### Exclusive Bargaining Representative Agent 18

Upon notifying the Building Principal's office, aAuthorized agents of an exclusive bargaining representative will be provided reasonable access to employees in the bargaining unit they represent in accordance with State law. Such access shall be conducted in a manner that will not impede the normal operations of the District.~~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>19</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>20</sup>

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<sup>18</sup> 105 ILCS 5/~~24-24 and~~ 24-25; 115 ILCS 5/3(c), added by P.A. 101-620. ~~If a provision contained in a collective bargaining agreement addresses this issue, it will supersede this policy for those covered employees. In such cases, the board policy should be amended to state, "Please refer to the applicable collective bargaining agreement." For employees whose collective bargaining agreement does not address this subject not covered, the policy should reflect the board's current practice. 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.

The School Code permits bargaining representatives to meet with employees during duty-free time upon notice to the school office. The Ill. Educational Labor Relations Act, amended by P.A. 101-620, expanded the rights of access by bargaining representatives to also include meeting with employees during the employee work day if the meeting: (1) is to investigate and discuss grievances and workplace-related complaints (no time limit is specified) or (2) is with a newly hired employee within the first two weeks of employment (or on a later date if mutually agreed upon by the employee and bargaining representative) for one hour or less. In those circumstances, the district may not dock employee pay or charge leave time. 115 ILCS 5/3(c). However, the access must be "reasonable" and "shall at all times be conducted in a manner so as not to impede normal operations." Id. Consult the board attorney for guidance regarding specific requests and whether, if granted, they would impede normal operations, e.g., requests for access to staff while they are performing instructional or supervisory duties. Determining whether normal operations are impeded will likely depend upon the position and duties of the employee in the district.

<sup>19</sup> Id.

### 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 ten days before the Board hearing date. The hearing notice must contain: **21**

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. **22**

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**20** See Nuding v. Cerro Gordo Community-Comm. Unit School-Sch. Dist., 313 Ill. App.3d 344 (4th Dist. 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'Fallon Tp. High School-Sch. Dist., 302 Ill.App.3d 1070 (5th Dist. 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).

**21** *Id.* For ease of administration, this text is broader than 105 ILCS 5/24-24, requiring a hearing for both *school events* and *meetings*. The court in Nuding (see f/n 20, above) did not specifically answer whether a board meeting qualified as a *school event* under 105 ILCS 5/24-24, but upheld the board's right to enforce conduct rules at its meetings under 105 ILCS 5/10-20.5.

For boards that wish to narrow the policy text to mirror 105 ILCS 5/24-24, delete the following text from the subhead and the first sentence of the policy:

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.

Consult the board attorney before deleting the above text, especially if the board has put the current text into practice and now plans to narrow it. This issue involves a balancing of a board's interest in the orderly transaction of its public business and the efficiency of its meetings against an individual's: (a) statutory rights attend meetings and/or comment to and ask questions of the board (105 ILCS 5/10-16 and 5 ILCS 120/2.06(g)) and (b) constitutional freedoms and rights of speech, the press, assembly, and to petition the government (U.S. Constitution, First Amendment and Ill. Constitution, Art. I, §§ 1, 2, 4, and 5).

If a violator is a student, the hearing should be held in a closed meeting. 5 ILCS 120/2(c)(9).

If, however, the violator is not a student, the hearing must be held in an open session.

**22** 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., 313 Ill. App.3d 344 (4th Dist. 2000).  
20 U.S.C. §7181 et seq., Pro-Children Act of 1994.  
105 ILCS 5/10-20.5b, 5/22-33, ~~5/24-24~~, 5/24-25, and 5/27-23.7(a).  
[115 ILCS 5/3\(c\), Ill. Educational Labor Relations Act.](#)  
410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.  
430 ILCS 66/, Firearm Concealed Carry Act.  
410 ILCS 705/, Cannabis Tax and Regulation Act.  
720 ILCS 5/11-9.3.

CROSS REF.: 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Behavior), 7:270 (Administering Medicines to Students), 8:20 (Community Use of School Facilities)

Draft

## Community Relations

### Gifts to the District 1

The School Board appreciates gifts from any education foundation, 2 other entities, or individuals. All gifts must adhere to each of the following:

1. Be accepted by the Board or, if less than \$500.00 in value, the Superintendent or designee.<sup>3</sup> Individuals should obtain a pre-acceptance commitment before identifying the District, any school, or school program or activity as a beneficiary in any fundraising attempt, including without limitation, any Internet fundraising attempt. <sup>4</sup>
2. Be given without a stated purpose or with a purpose deemed by the party with authority to accept the gift to be compatible with the Board's educational objectives and policies.
3. Be consistent with the District's mandate to provide equal educational and extracurricular opportunities to all students in the District as provided in Board policy 7:10, *Equal Educational Opportunities*. State and federal laws require the District to provide equal treatment for members of both sexes to educational programming, extracurricular activities, and athletics. This includes the distribution of athletic benefits and opportunities. <sup>5</sup>
4. Permit the District to maintain resource equity among its learning centers. <sup>6</sup>
5. Be viewpoint neutral. The Superintendent or designee shall manage a process for the review and approval of donations involving the incorporation of messages into or placing messages upon school property. <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 and federal law control this policy's content. 105 ILCS 5/16-1 grants authority to school boards to accept and manage gifts. Specifying the criteria for gifts in the board policy provides important information to potential donors and promotes a common understanding, uniform treatment, and adherence to legal requirements. ~~The statute provides that a~~Any gift to a school district or attendance center becomes ~~the~~ district property to be "held, managed, improved, invested or disposed of by such board in such manner as the board, in its discretion, sees fit...". ~~Id. According to this statute, w~~When a donor expresses an intention that a gift be used for a certain purpose, the board must "promote and carry into effect" that intention until the "board determines in its discretion that it is no longer possible, practical or prudent to do so." ~~Id.~~

<sup>2</sup> An education foundation can be an effective tool for collecting and donating financial and non-financial resources to a school district. An education foundation is a separate entity from the school district. In order to be exempt from federal income taxes and allow donors to deduct their donations, it must be organized as a tax-exempt organization, such as, under Section 501(c)(3) of the Internal Revenue Code.

<sup>3</sup> The board may remove or amend ~~in any way~~ the value of a gift that the superintendent or designee is permitted to accept.

<sup>4</sup> Well-intentioned people can raise funds in a variety of ways, e.g., putting donation jars in retail establishments, 50/50 drawings, and websites designed for fundraising like *GoFundMe*. Addressing fundraising by individuals in policy allows the board to manage donations and minimize liability in a manner consistent with its policies and legal requirements.

<sup>5</sup> 20 U.S.C. §1681 ~~et seq.~~, Title IX of the Education Amendments, implemented by 34 C.F.R. Part 106; 23 Ill.Admin.Code §200.40. See ~~Title IX Resource Guide, the April 2015 Title IX Resource Guide—U.S. Department of Education and the U.S. Dept. of Education~~ Office for Civil Rights (~~April 2015~~), at: [www.ed.gov/ocr/www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf](http://www.ed.gov/ocr/www2.ed.gov/about/offices/list/ocr/docs/dcl-title-ix-coordinators-guide-201504.pdf).

<sup>6</sup> See [policy 6:210, Instructional Materials](#).

6. Comply with all laws applicable to the District including, without limitation, the Americans with Disabilities Act, the Prevailing Wage Act, the Health/Life Safety Code for Public Schools, and all applicable procurement and bidding requirements.

The District will provide equal treatment to all individuals and entities seeking to donate money or a gift. Upon acceptance, all gifts become the District's property. The acceptance of a gift is not an endorsement by the Board, District, or school of any product, service, activity, or program. The method of recognition is determined by the party accepting the gift.<sup>8</sup>

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Education Amendments implemented by 34 C.F.R. Part 106.  
105 ILCS 5/16-1.  
23 Ill.Admin.Code §200.40.

CROSS REF.: 4:60 (Purchases and Contracts), 4:150 (Facility Management and Building Programs), 6:10 (Educational Philosophy and Objectives), 6:210 (Instructional Materials), 7:10 (Equal Educational Opportunities)

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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>7</sup> The U.S. Constitution's Free Speech, Establishment, and Equal Protection Clauses may be triggered when a donation comes with a message. Contact the board attorney for assistance. The second sentence is optional. Soliciting or receiving donor messages raises many complex legal and practical issues. As a general rule, school officials can avoid constitutional issues by reviewing donor messages according to uniform rules that do not discriminate against groups or individuals on the basis of their viewpoints. For more detailed explanations of viewpoint-neutrality and forum issues, see f/n 1 in policy 8:20, *Community Use of School Facilities*, and f/n 1 in policy 8:25, *Advertising and Distributing Materials in Schools Provided by Non-School Related Entities*.

A publicized procedure for reviewing donor messages according to pre-established viewpoint-neutral guidelines may limit misunderstandings or disputes with donors or other members of the public. Each board may want to discuss with the superintendent what expectations exist based upon the scope and scale of the donor message project, so that the superintendent can manage the expectations in the procedure. Consult the board attorney to assist with this process. Lastly, posting disclaimers informing members of the public that the donor messages incorporated into school property or placed upon school property are the personal expressions of individual donors and not the district's may avoid Establishment Clause arguments. For a more detailed discussion of the issues pertaining to excluding donor messages on school property and implementing procedures to review donor messages, see f/n <sup>5</sup> in policy 7:325, *Student Fundraising Activities*.

<sup>8</sup> Examples of ways to recognize a gift include a letter of appreciation, mentioning the gift on the district or school website or publication, a shout-out at a public event, and a recognition plaque.



## **Community Relations**

### **Public Suggestions and Concerns**

The School Board is interested in receiving suggestions and concerns from members of the community. Any individual may make a suggestion or express a concern ~~at~~ by contacting any District or School office. Community members who e-mail the District or any District employee or board member are expected to abide by the standards in Board policy 6:235, *Access to Electronic Networks*, and should, to the extent possible, limit their communications to relevant individuals.<sup>1</sup> All suggestions and/or concerns will be referred to the appropriate level staff member or District administrator who is most able to respond in a timely manner. Each concern or suggestion shall be considered on its merit.

An individual who is not satisfied may file a grievance under Board policy 2:260, *Uniform Grievance Procedure*. The Board encourages, but does not require, individuals to follow the channels of authority prior to filing a grievance. Neither this policy nor the *Uniform Grievance Procedure* create an independent right to a hearing before the Board.

**LEGAL REF.:** [115 ILCS 5/14\(c-5\), III. Educational Labor Relations Act.](#)

**CROSS REF.:** 2:140 (Communications To and From the Board), 2:230 (Public Participation at School Board Meetings and Petitions to the Board), 2:260 (Uniform Grievance Procedure), 3:30 (Chain of Command), [6:235 \(\*Access to Electronic Networks\*\)](#), 6:260 (Complaints About Curriculum, Instructional Materials and Programs), 8:10 (Connection with the Community)

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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>1</sup> [The III. Educational Labor Relations Act requires employers to establish email policies in an effort to prohibit the use of its email system by outside sources. 115 ILCS 5/14\(c-5\), added by P.A. 101-620. Policy 6:235, \*Access to Electronic Networks\*, states that the district's network, which includes its email system, is not a public forum for general use. Further, acceptable uses of the network by any party are limited to uses in support of education and/or research or for legitimate school business purposes. See policy 6:235, \*Access to Electronic Networks\*, at f/n 6 for additional discussion. Including this statement also discourages school community members from engaging in the disruptive practice of mass cc'ing district staff who have no involvement in a particular issue.](#)

Approval of Recommended Personnel Report

ACTION ITEM 20-05-2

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the personnel report for May 18, 2020, noting that the personnel report is based on the recommendation of the Superintendent and not upon the Board’s direct knowledge regarding any of the specific individuals selected for employment.

The votes were cast as follows:

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

AYES:

NAYS:

PRESENT:

ABSENT:

May 18, 2020  
Personnel Report

Anne Fong	Employ as General Music Teacher at Emerson School effective the first day teachers are scheduled to report for the 2020-2021 school year - salary is based on the 2019-2020 salary schedule; thus, it is subject to change once the 2020-2021 salary schedule is agreed upon - lane placement is contingent upon confirmation of education by official transcripts - BA, Step 1 - \$52,175.
Shannon Krebs	Employ as Special Education Resource Teacher at Field School effective the first day teachers are scheduled to report for the 2020-2021 school year - salary is based on the 2019-2020 salary schedule; thus, it is subject to change once the 2020-2021 salary schedule is agreed upon - lane placement is contingent upon confirmation of education by official transcripts - BA+12, Step 1 - \$54,122.
Brian Kulaga	Employ as Special Education Resource Teacher at Roosevelt School effective the first day teachers are scheduled to report for the 2020-2021 school year - salary is based on the 2019-2020 salary schedule; thus, it is subject to change once the 2020-2021 salary schedule is agreed upon - lane placement is contingent on confirmation of education by official transcripts - BA, Step 1 - \$52,175.
Adam Parker	Employ as Industrial Technology Teacher at Emerson School effective the first day teachers are scheduled to report for the 2020-2021 school year - salary is based on the 2019-2020 salary schedule; thus, it is subject to change once the 2020-2021 salary schedule is agreed upon lane placement is contingent upon confirmation of education by official transcripts - MA, Step 1 - \$60,011.
Jason Quint	Employ as Industrial Technology Teacher at Lincoln School effective the first day teachers are scheduled to report for the 2020-2021 school year - salary is based on the 2019-2020 salary schedule; thus, it is subject to change once the 2020-2021 salary schedule is agreed upon - lane placement is contingent upon confirmation of education by official transcripts - MA, Step 1 - \$60,011.
Jane Hill	Rehire as Industrial Technology Teacher at Lincoln School effective the first day teachers are scheduled to report for the 2020-2021 school year - salary is based on the 2019-2020 salary schedule; thus, it is subject to change once the 2020-2021 salary schedule is agreed upon - MA, Step 2 - \$60,989.

Tiffany Costa	Resign as Instructional Technology Coach at Roosevelt School effective June 10, 2020.
Cassie Prejzner	Resign as 5th Grade Teacher at Carpenter School effective June 10, 2020.
Beth Rihtar	Resign as Instructional Technology Coach at Emerson School effective June 10, 2020.
Amanda Spychalski	Resign as Assistant Principal at Field School effective June 22, 2020.
Kathy Carney-Pierucci	Retire as Office Associate at Field School effective June 10, 2020.

Consent Agenda

ACTION ITEM 20-05-3

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda for May 18, 2020, which includes: Bills, Payroll and Benefits; Approval of Financial Update for the Period Ending April 30, 2020; Second Reading and Approval of Policy 2:230; and the Destruction of Audio Closed Recordings (none).

The votes were cast as follows:

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

AYES:

NAYS:

PRESENT:

ABSENT:

**Community Consolidated School District No. 64**

**Disbursement Detail Listing**

Bank Name: Accounts Payable  
 Bank Account: 885360644

Date Range: 04/28/2020 - 04/30/2020  
 Voucher Range: 1302 - 1304

Sort By: Vendor  
 Dollar Limit: \$0.00

Fiscal Year: 2019-2020

Print Employee Vendor Names     Exclude Voided Checks     Exclude Manual Checks     Include Non Check Batches

Check Number	Date	Voucher	Payee	Account	Description	Amount
<b>Check Total:</b>						<b>\$854.99</b>
<b>Bank Total:</b>						<b>\$301,103.50</b>

<u>Fund</u>	<u>Amount</u>
10	\$202,444.10
20	\$55,383.05
40	\$675.31
60	\$42,288.54
80	\$312.50
<b>Fund Totals:</b>	<b>\$301,103.50</b>

End of Report

**Disbursements Grand Total: \$301,103.50**

**Community Consolidated School District No. 64**

**Disbursement Detail Listing**

Bank Name: Accounts Payable  
 Bank Account: 885360644

Date Range: 05/14/2020 - 05/19/2020  
 Voucher Range: 1310 - 1316

Sort By: Vendor  
 Dollar Limit: \$0.00

Fiscal Year: 2019-2020

Print Employee Vendor Names     Exclude Voided Checks     Exclude Manual Checks     Include Non Check Batches

Check Number	Date	Voucher	Payee	Account	Description	Amount
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<u>Fund</u>	<u>Amount</u>
10	\$1,104,370.96
20	\$74,369.29
30	\$55,818.34
40	\$6.74
60	\$481,377.21
<b>Fund Totals:</b>	<b>\$1,715,942.54</b>

End of Report

Disbursements Grand Total:      \$1,715,942.54

## Community Consolidated School District No. 64

### Fund Balances

Fiscal Year: 2019-2020

Month: April  
 Year: 2020  
 Fund Type:

Include Cash Balance  
 FY End Report

<u>Fund</u>	<u>Description</u>	<u>Beginning Balance</u>	<u>Revenue</u>	<u>Expense</u>	<u>Transfers</u>	<u>Fund Balance</u>
10	Education Fund	\$29,724,418.89	\$63,319,216.05	(\$49,607,733.01)	\$0.00	\$43,435,901.93
20	Operations & Maintenance Fund	\$7,366,731.80	\$6,747,238.09	(\$5,279,869.86)	(\$4,000,000.00)	\$4,834,100.03
30	Debt Services Fund	\$3,729,094.25	\$2,022,662.49	(\$2,313,668.33)	\$0.00	\$3,438,088.41
40	Transportation Fund	\$4,482,399.57	\$2,312,146.05	(\$3,233,695.84)	(\$2,000,000.00)	\$1,560,849.78
50	Municipal Retirement Fund	\$937,572.83	\$871,477.43	(\$795,707.69)	\$0.00	\$1,013,342.57
51	Social Security/Medicare Fund	\$816,625.05	\$1,000,910.17	(\$988,670.94)	\$0.00	\$828,864.28
60	Capital Projects Fund	\$5,640,794.22	\$39,309.81	(\$8,110,533.95)	\$6,000,000.00	\$3,569,570.08
61	Cap Projects Fund - 2017 Debt Certs	\$157,881.04	\$1,931.61	\$0.00	\$0.00	\$159,812.65
70	Working Cash Fund	\$247,831.27	\$546,118.65	\$0.00	\$0.00	\$793,949.92
80	Tort Fund	\$806,078.18	\$298,323.96	(\$500,302.68)	\$0.00	\$604,099.46
Grand Total:		\$53,909,427.10	\$77,159,334.31	(\$70,830,182.30)	\$0.00	\$60,238,579.11

End of Report



This Report Can be Viewed on the

[Financial Data Current](#)

To: Board of Education  
Dr. Eric Olson, Superintendent

From: Valerie Varhalla, Director of Business Services

Date: May 18, 2020

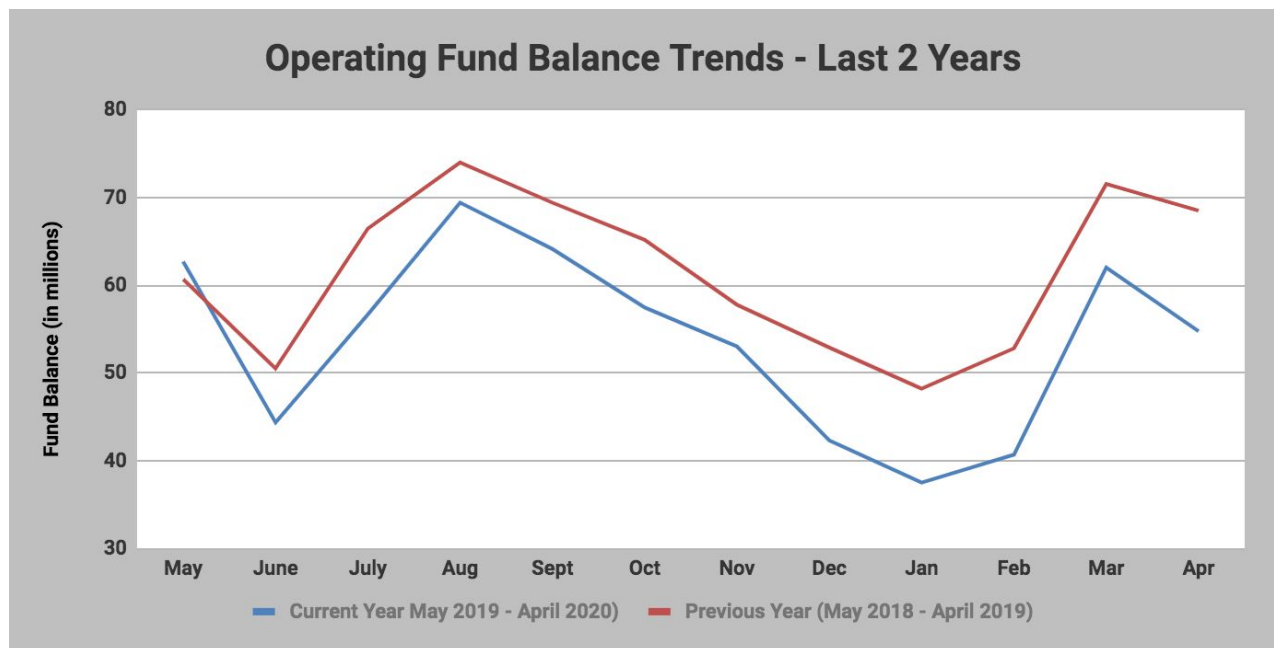
Subject: Financial Update for the Period Ending April 30, 2020

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Attached for your review are the following reports as of April 30, 2020:

- Fund Balance Report
- Revenue Summary Report
- Expenditure Summary Report

Fund balance in the Operating Funds decreased by \$7.2 million in April to \$54.7 million. The graph below shows a comparison of monthly fund balances over the last two years. The spikes in fund balance during July/August and February/March represent the District's property tax collections, which make up approximately 85% of the District's total annual revenues. It's very important for school districts to maintain fund balance reserves that are sufficient to cover operations in between those months, particularly during the fall/winter when revenues are typically scarce.



The most recent 12-month period followed a similar trend as the preceding year. Some notable exceptions are:

- May and June – The two fund balance lines decreased at varying angles because the District’s biweekly payroll schedule produced a different number of payrolls each month. Looking at the two months combined, fund balance in 2019 (blue line) decreased by \$1.2 million more than in 2018 (red line). This is due to the District transferring \$786,000 out of the Operating Funds in May 2018 to make its first yearly payment on the debt certificates.
- December-Fund balance in December decreased at a faster rate due to two board resolutions adopted at the December 16 Board of Education meeting. Resolution #1241 and #1242 directed the transfer of a total \$6 million to the Capital Projects Fund. Both Board resolutions were to help financially prepare the District with enough available funds for the upcoming Capital Projects.
- February-Fund balance typically increases starting in February due to the first installment of property tax revenue collections.

From a macro-level perspective, the District continues to have a strong financial position as we near the last 2 months of the fiscal year. Throughout this long-term planning and forecasting the District continues to maintain the goal of operating within its means.

### **Revenue Summary - April**

Total revenue for the District was 97% of budgeted revenues as of April 30. This is in line with last year’s pace.

The District received \$714,000 in property tax revenues this month. The District received \$264,000 in Corporate Personal Property Replacement Tax (CPPRT).

State and federal revenue was insignificant. The District received the standard two installments of Evidence Based Funding from the State (\$306,000). The District also received \$291,000 of federal reimbursements in April for previously incurred grant expenditures.

### **Expenditure Summary - April**

After completing ten months of the fiscal year, the District has expended 77% of its overall budget which is inline to last year’s pace.

Table 1 below shows the year-to-date percentage of the payroll budget (salaries and benefits) that has been spent after each month as compared to last year. Total payroll expenditures are trending as projected in the budget. The month of April consisted of three payrolls compared to last year which consisted of two payrolls.

Table 1: Payroll Expenditures

Month	YTD Percent of Budget Spent	
	2019-20	2018-19
April	76%	72%
February	57%	56%
December	41%	41%
October	25%	21%
August	7%	6%

Table 2 displays the cumulative percentage of the accounts payable budget (purchased services, supplies, equipment, etc.) that has been spent after each month versus last year.

Table 2: Accounts Payable Expenditures

Month	YTD Percent of Budget Spent	
	2019-20	2018-19
April	78%	85%
February	65%	76%
December	54%	67%
October	41%	49%
August	24%	26%

Accounts payable spending is running behind last year's budget pace. Since the worldwide pandemic, the District has been conservative in its spending as the need for substitutes, supplies/equipment, etc has been significantly decreased.

If you have any questions about the Financial Report, please contact Dr. Olson or myself.

**Community Consolidated School District No. 64**

**Fund Balances**

Fiscal Year: 2019-2020

Month: April  
 Year: 2020  
 Fund Type: Operating

Include Cash Balance  
 FY End Report

<u>Fund</u>	<u>Description</u>	<u>Beginning Balance</u>	<u>Revenue</u>	<u>Expense</u>	<u>Transfers</u>	<u>Fund Balance</u>
10	Education Fund	\$29,724,418.89	\$64,926,892.00	(\$49,612,749.26)	\$0.00	\$45,038,561.63
20	Operations & Maintenance Fund	\$7,366,731.80	\$6,818,419.01	(\$5,279,869.86)	(\$4,000,000.00)	\$4,905,280.95
40	Transportation Fund	\$4,482,399.57	\$2,323,013.20	(\$3,233,695.84)	(\$2,000,000.00)	\$1,571,716.93
50	Municipal Retirement Fund	\$937,572.83	\$881,345.41	(\$795,707.69)	\$0.00	\$1,023,210.55
51	Social Security/Medicare Fund	\$816,625.05	\$1,012,334.77	(\$988,670.94)	\$0.00	\$840,288.88
70	Working Cash Fund	\$247,831.27	\$552,345.38	\$0.00	\$0.00	\$800,176.65
80	Tort Fund	\$806,078.18	\$302,929.07	(\$500,302.68)	\$0.00	\$608,704.57
Grand Total:		\$44,381,657.59	\$76,817,278.84	(\$60,410,996.27)	(\$6,000,000.00)	\$54,787,940.16

**End of Report**

## Community Consolidated School District No. 64

### Fund Balances

Fiscal Year: 2019-2020

Month: April

Include Cash Balance

Year: 2020

Fund Type: Non-Operating

FY End Report

<u>Fund</u>	<u>Description</u>	<u>Beginning Balance</u>	<u>Revenue</u>	<u>Expense</u>	<u>Transfers</u>	<u>Fund Balance</u>
30	Debt Services Fund	\$3,729,094.25	\$2,046,816.24	(\$2,313,668.33)	\$0.00	\$3,462,242.16
60	Capital Projects Fund	\$5,640,794.22	\$41,723.74	(\$8,110,533.95)	\$6,000,000.00	\$3,571,984.01
61	Cap Projects Fund - 2017 Debt Certs	\$157,881.04	\$2,023.55	\$0.00	\$0.00	\$159,904.59
Grand Total:		\$9,527,769.51	\$2,090,563.53	(\$10,424,202.28)	\$6,000,000.00	\$7,194,130.76

End of Report

This Report Can be Viewed on the

[Financial Data Current](#)

## School Board

### **2:230 Public Participation at Board of Education Meetings and Petitions to the Board**

At each regular and special open meeting, any person may comment on or ask questions of the School Board (*public participation*), subject to the reasonable constraints established and recorded in this policy's guidelines below.

Prior to the public comment period, the Board President shall make the following statement:

*"This is the point of the meeting where we welcome public comments. Each speaker is given three minutes to address the Board. Comments may be made on almost any matter related to the operation of schools, but we ask that you refrain from making comments concerning individual students or staff members. Each person appearing before the Board will be treated with courtesy and respect, and the Board requests the same in return. While it is the practice of the Board not to respond to public questions or comments during the meeting, Board members do attentively listen and carefully consider the thoughts and topics you present. Additionally, the Board cannot take formal action on non-agenda items. You may contact the Board President by email if you wish to discuss your topic further. Please come forward to the microphone, state your name, spell your name, and state your address for the minutes."*

To preserve sufficient time for the Board to conduct its business, any person appearing before the Board is 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. Ordinarily, the time for any one person to address the Board during public participation shall be limited to 3 minutes. In unusual circumstances, or when an individual has made a request to speak for a longer period of time, the person may be allowed to speak for more than three minutes.
3. Observe, when necessary and appropriate, the:
  - a. Shortening of the time for each person to address the Board during public participation to conserve time and give the maximum number of people an opportunity to speak;
  - b. Determination of procedural matters regarding public participation regarding public participation not otherwise covered in Board policy.
4. 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.



Approval of Minutes

ACTION ITEM 20-05-4

I move that the Board of Education of Community Consolidated School District 64 Park Ridge-Niles, Illinois approve the minutes from the Closed Meeting on April 20, 2020; the Regular Meeting on April 20, 2020; the Closed Meeting on April 27, 2020; and the Special Meeting on April 27, 2020.

The votes were cast as follows:

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

AYES:

NAYS:

PRESENT:

ABSENT:

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**BOARD OF EDUCATION  
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64  
Minutes of the Regular Board of Education Meeting held at 7:00 p.m.  
April 20, 2020  
VIRTUAL MEETING DUE TO COVID-19**

Board President Rick Biagi called the meeting to order at 5:30 p.m. All participants attended via remote participation. Other Board members in attendance via remote participation were Carol Sales, Dr. Denise Pearl, Larry Ryles, and Rebecca Little. Board members Tom Sotos and Fred Sanchez joined the meeting after the closed session began. Also present were Superintendent Eric Olson; Chief School Business Official Luann Kolstad; Assistant Superintendent for Human Resources Joel T. Martin; Board Legal Counsel Tony Loizzi; and approximately 13 members of the public.

Hodges Loizzi attorney James Levi joined the meeting remotely at 8:20 p.m. for the transportation and food services amendments discussion and left the meeting at 9:00 p.m.

Board of Education meetings are videotaped and may be viewed in their full length from the District's website at <http://www.d64.org>. The agenda and reports for this meeting are also available on the website or through the District 64 Educational Service Center, 164 S. Prospect Ave., Park Ridge, IL 60068.

**BOARD RECESSES AND ADJOURNS TO CLOSED MEETING**

At 5:32 p.m. it was moved by Board member Little and seconded by Board member Pearl to adjourn to closed session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors, or specific volunteers of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor, or a volunteer of the District or against legal counsel for the District to determine its validity. 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 this Act [5ILCS 120/2(c)(1)]; and 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)].

The votes to adjourn to the closed meeting were cast as follows:

Ayes: Little, Ryles, Biagi, Pearl, Sales

Nays: None

Present: None

Absent: Sotos, Sanchez

The motion carried.

**BOARD ADJOURNS FROM CLOSED MEETING AND RESUMES THE REGULAR MEETING**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

The Board resumed the regular meeting at 7:00 p.m. In addition to those listed above, also attending via remote participation were Assistant Superintendent for Student Learning Lori Lopez; Director of Student Services Lea Anne Frost, Director of Innovation and Instructional Technology Mary Jane Warden; Director of Facility Management Ronald DeGeorge; Public Information Coordinator Peter Gill (attending but not participating); Administrative Assistant to the Superintendent Natasha Nedeljkovic; and approximately 13 members of the public.

### **PLEDGE OF ALLEGIANCE**

Board member Larry Ryles led the pledge.

### **OPENING REMARKS FROM PRESIDENT OF THE BOARD**

Board president Biagi invited Superintendent Olson to give an update on school closures. Dr. Olson noted that communication would go out to staff and families the next day with updates. 8th grade promotion would be postponed, and plans for resuming school next year were still unknown. Dr. Olson encouraged parents to reach out to the school administrators with any questions.

### **PUBLIC COMMENTS**

Public comments on non-agenda items were invited through a posted email address on the District website and in the Board report, and received as follows:

- Adriana Correa: emergency daycare owner in Park Ridge, submitted a question on the reopening of schools in the fall and plans to implement procedures similar to those required by daycares in order to stop the spread of COVID-19.

Superintendent Olson noted that the Illinois School Board of Education (ISBE) had not issued guidelines yet for next school year. The District will have to wait and see how things progress.

### **APPROVAL OF MEETING AGENDA**

Board member Sanchez requested the addition of a discussion on planned capital projects and their financial impact on the District's funds, given the current situation. Board president Biagi moved to add the item between appendices 3 and 4 in the agenda, and Board member Ryles seconded. The motion was approved by unanimous voice vote.

### **UPDATE ON REMOTE LEARNING**

Assistant Superintendent for Student Learning Lori Lopez noted we were in our 5th week of remote learning, with an 80% daily participation on average. The District conducted a parent survey and results showed that 1,000 families responded, with 77% satisfied with the current program, 12% stating there was too little work, and 18% noting there was too much. The teachers are reaching out to parents for feedback and are brainstorming ways to streamline communication and reduce printing. Teachers participated in workshops to learn new content and platforms. The district is working on maintaining the continuum of learning and is grateful for the partnership with the parents. Dr. Lopez stated the program will continue to evolve. Responding to Board members' questions, she said the attendance check-in system would move

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from daily to weekly, after feedback received from parents. She noted that participation in remote learning was a bit higher for middle schools and also varied by grade levels. She confirmed that teachers contact parents whose students are not participating, to encourage them to do so. Principals subsequently reach out to families that do not respond. Collection of assignments is a better way to track participation, rather than attendance login. The District can only encourage participation and does not have an alternative at this time for students who choose not to participate.

**PROGRAM PROPOSAL FOR EXPANDING THE CONTINUUM OF SERVICES**

Superintendent Olson noted this was only a presentation tonight and the Board will not vote until the April 27, 2020 scheduled special meeting. Director of Student Services Dr. Lea Anne Frost presented the program which the District would like to implement at the start of the 2020-21 school year. She noted the importance of moving forward with these changes to the current special education services offered in District 64. She explained that students are not part of the community when outplaced or not with the general education population. Data showed that 5.9% of District 64 students are outplaced, while the State target guideline is 3.9%. The new program would address this issue. She said the District received input from the PT3 committee, the special education advisory committee, and the parents by posting a video and a survey. She then summarized her report, explaining the concept of the Structured Learning Classroom (SLC), which the District hoped to implement next school year. She provided a virtual tour of the classroom, which design is conducive to learning by adding supports and removing distractions, but also providing the least-restrictive environment. She noted that the program would serve incoming Kindergarten through 3rd grade students, based on their needs, and would be housed in the new addition at Washington School, with provided transportation. She summarized the 5 goals of the program. She noted that support staff would need to be hired and trained. The District would be moving with this program in August 2020, starting with eight students in the class. She explained that future expansion would be linear, going to 4th grade and beyond. The District would consider other locations if a second classroom is needed. Siblings of students in the SLC would be allowed to attend Washington School. Dr. Frost stated that staff had already expressed interest and attended training in anticipation of this program being implemented. She mentioned that feedback from the community had been positive and reviewed the survey responses obtained so far, noting that parents of outplaced students had participated as well. The survey showed that the main positives was that the SLC was deemed to provide the support students need, and provide inclusion, while the cost of the program was the main concern. Dr. Frost noted that outplacement costs were higher than the costs anticipated to implement this program. The Board stated it would like to see more participation from the community in this decision and debated allowing for comments at the special meeting on April 27, which would be virtual. The movie distributed online by the Student Services department had garnered close to 1,200 views, but the Board requested additional public input and transparency prior to the vote on April 27. Board member Ryles stressed that PT3 had provided opportunity for input and he was comfortable with the feedback provided. Dr. Olson confirmed that the District had widely publicized this meeting as well as the program, and will do so again prior to the April 27 meeting. Board president Biagi encouraged anyone with questions or concerns, to reach out to Dr. Olson or Dr. Frost prior to the April 27 special meeting.

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**CAPITAL PROJECTS UPDATE**

The Board expressed concern over spending money during the financial impact of the COVID-19 outbreak. CBSO Kolstad clarified that the District had only one ongoing project, the Washington School addition, and had no plans for any other projects at the moment. She stated that the SLC project discussed earlier in the meeting would not be implemented at Washington if the addition is not completed. A breach of contract claim by the contractor would be very costly to the District and stopping the project now, although a possibility under the “force majeure” clause in the contract, would have many repercussions. The District would incur costs for materials pre-ordered and work already completed. Additionally, the contractor might “walk away,” forcing the District to re-bid the project in the future at a higher cost. The Board reached consensus to complete the project, as it was too far along.

**APPROVAL OF AMENDMENTS TO TRANSPORTATION SERVICES**

The Board resumed the discussion, which began at the March 30, 2020 meeting, about whether the District was under any legal obligation to pay the bus company while schools were closed. ISBE had encouraged school districts to do so to retain the drivers. Legal counsel James Levi confirmed that the Board was under no obligation contractually to pay for services not provided during this time. He also confirmed that while the CARES Act and ISBE encouraged this, there was no legal obligation, and the majority of school Boards were not doing it. CSBO Kolstad explained that the regular annual contract for transportation was up for renewal with a 3.75% increase for the upcoming year. While the Board had no objection to renewing the contract and was pleased with the services provided, members discussed whether they wished to approve the amendment to pay for services during school closures due to COVID-19 and the governor’s executive order. Among other issues, the Board was concerned with a potential windfall for the bus company, should it collect payments from other districts as well, which would go above the salaries paid to bus drivers. CSBO Kolstad suggested a possible renegotiation of the 3.75% increase for next year to make up for this year’s payments during school closures. The Board agreed to table this discussion until the next Board meeting on April 27, and allow for further contract negotiations with Lakeview Bus Company. CSBO Kolstad would report on all agreements after revisions and renegotiations. No vote took place.

**APPROVAL OF SECOND AMENDMENT TO QUEST FOOD MANAGEMENT SERVICES AGREEMENT**

CBSO Kolstad noted that the Board approved the renewal of the regular food services contract at the March 30 meeting, and much like transportation, the amendment on the agenda tonight was for payments to Quest during the COVID-19 crisis and the school closures. Quest was requesting payments for salaries from March 16 through April 10, the remainder of the costs incurred after April 10 would be covered by the Paycheck Protection Program (PPP) money Quest had applied for. After some discussion, the Board agreed that it did not see any reason to pay Quest at this time.

Action Item 20-04-5 to approve the second amendment to the Quest Food Management Services contract in the amount of \$20,124.66 to cover salary and benefits to Quest staff for the period March 13, 2020 to April 10, 2020, was moved by Board member Sanchez but died for lack of being seconded.

**DISCUSSION AND APPROVAL OF NATURAL LAWN CARE**

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The Board had previously put a moratorium in the fall of 2019 on the use of biosolids on District fields and grounds. The Park Ridge Park District had investigated its uses and agreed to resume using biosolids, deeming them safe. The District is recommending doing the same, in order to ensure consistency in the maintenance of the fields they share with the Park District. Director of Facility Management Ron DeGeorge noted that the Park District had made changes in the way they applied the biosolids, such as prior notification to citizens, no application close to field use for games, etc. Mr. DeGeorge suggested doing the same to ensure the children’s welfare, by limiting applications during spring and summer breaks only. He would sit down with a Park District representative to coordinate and synchronize applications, should the Board approve. While the use of biosolids is inexpensive in comparison to other natural lawn care, such as TruGreen or other organic fertilizers, the Board expressed ongoing concerns over the safety of their use. The Board reached consensus that they would like the District to conduct their own research, independent of the Park District, and bring back the findings to the Board along with other possible alternatives to biosolids. This subject was tabled to a later meeting and no vote took place.

**APPROVAL OF RECOMMENDED PERSONNEL REPORT**

It was noted that the Board is relying upon the recommendation of the Superintendent and administration in their professional judgment as to the hiring of these individuals per Policy 2:130.

Mary Graff - Resign as building secretary at Franklin School effective June 17, 2020

Michelle Sutschek - Retire as certified nurse at Lincoln Middle School effective June 10, 2020

ACTION ITEM 20-04-7

It was moved by Board member Pearl and seconded by Board member Sanchez that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Personnel Report, noting that the Personnel Report is based on the recommendation of the Superintendent and not upon the Board’s direct knowledge regarding any of the specific individuals selected for employment.

The votes were cast as follows:

AYES: Sotos, Sales, Ryles, Biagi, Pearl, Sanchez, Little

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

**CONSENT AGENDA**

- Bills, Payroll and Benefits

Bills

Fund

10 - Education Fund

Fund Total

\$ 1,253,748.46

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20 - Operations and Maintenance Fund	\$ 239,788.10
30 - Debt Services	\$ 11,774.76
40 - Transportation Fund	\$ 717,214.13
50 - Retirement (IMRF/SS/MEDICARE)	\$ -
60 - Capital Projects	\$ 584,133.85
61 - Capital Projects-2017 Debt Certificates	\$ -
80 - Tort Immunity Fund	\$ 99.00
90 - Fire Prevention and Safety Fund	\$ -
<b>Total:</b>	<b>\$ 2,806,758.30</b>

Payroll & Benefits

<u>Fund</u>	<u>Fund Total</u>
10 - Education Fund	\$42,221,518.39
20 - Operations and Maintenance Fund	\$ 4,691,556.51
30 - Debt Services Fund	\$ 2,301,893.57
40 - Transportation Fund	\$ 2,513,894.50
50 - IMRF/FICA Fund	\$ 669,559.44
51 - SS/Medicare	\$ 843,522.19
60 - Capital Projects Fund	\$ 7,484,111.56
80 - Tort Immunity Fund	\$ 499,891.18
<b>Total:</b>	<b>\$61,225,947.34</b>

The Accounts Payable detailed list can be viewed on the District 64 website’s business services page at [www.d64.org](http://www.d64.org).

- Approval of Financial Update for the Period Ending March 31, 2020
- Approval of Intergovernmental Agreement for Share Vision /O&M Services
- Approval of Board of Education Regular Board Meeting Dates for 2020-21
- Destruction of Audio Closed Recordings (None)

ACTION ITEM 20-04-8

It was moved by Board member Sanchez and seconded by Board member Little that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda for April 20, 2020 which includes: Bills, Payroll and Benefits; Approval of Financial Update for Period Ending March 31, 2020; Approval of Intergovernmental Agreement for Share Vision /O&M Services; Approval of Board of Education Regular Board Meeting Dates for 2020-21; and Destruction of Audio Closed Recordings (None)

The votes were cast as follows:

AYES: Little, Sotos, Biagi, Ryles, Sanchez, Pearl, Sales

NAYS: None

PRESENT: None

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ABSENT: None  
The motion carried.

**APPROVAL OF MINUTES**

ACTION ITEM 20-04-9

It was moved by Board member Pearl and seconded by Board member Little that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the minutes from the Regular Meeting on March 30, 2020.

The votes were cast as follows:

AYES: Sotos, Biagi, Sanchez, Pearl, Ryles, Little, Sales

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

**OTHER DISCUSSION AND ITEMS OF INFORMATION:**

Superintendent Olson noted that the District had started a survey on the Strategic Plan update prior to the start of the COVID-19 outbreak but that participation in the survey had since dropped considerably. He noted that while the sample data was sufficient to draw conclusions, he would like to see more responses. The Board agreed it made sense to wait until the fall to resume the survey and collect further data. The Board also agreed to discuss the Superintendent’s evaluation in a closed meeting during the upcoming April 27 special meeting. Dr. Olson then reviewed the draft agenda for the May 18 regular meeting.

**NEW BUSINESS**

Board member Ryles inquired about lunch money refunds, Dr. Olson confirmed it was being implemented. Board secretary Sales noted the Board Policy Committee would be meeting virtually on April 23. The Board inquired about PT3 meetings. Dr. Olson noted they would resume virtually upon conversation with Dr. Frost.

**ADJOURNMENT**

At 10:20 p.m. it was moved by Board member Sanchez and seconded by Board member Sotos to adjourn, which was approved by unanimous voice vote.

Signed Date: May 18, 2020.

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**BOARD OF EDUCATION  
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64  
Minutes of the Special Board of Education Meeting held at 7:00 p.m.  
April 27, 2020  
VIRTUAL MEETING VIA ZOOM DUE TO COVID-19**

Board President Rick Biagi called the meeting to order at 6:30 p.m. All participants attended via remote participation. Board members in attendance via remote participation were Rick Biagi, Tom Sotos, Carol Sales, Rebecca Little, Dr. Denise Pearl, Fred Sanchez, and Larry Ryles. Also present were Superintendent Eric Olson and Assistant Superintendent of Human Resources Dr. Joel T. Martin.

Board of Education meetings are videotaped and may be viewed in their full length from the District's website at <http://www.d64.org>. The agenda and reports for this meeting are also available on the website or through the District 64 Educational Service Center, 164 S. Prospect Ave., Park Ridge, IL 60068.

**BOARD RECESSES AND ADJOURNS TO CLOSED MEETING**

At 6:31 p.m. it was moved by Board member Sanchez and seconded by Board member Ryles to adjourn to closed session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors, or specific volunteers of the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor, or a volunteer of the District or against legal counsel for the District to determine its validity. 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 this Act [5ILCS 120/2(c)(1)].

The votes to adjourn to the closed meeting were cast as follows:

Ayes: Sales, Sotos, Pearl, Sanchez, Ryles, Little, Biagi

Nays: None

Present: None

Absent: None

The motion carried.

**BOARD ADJOURNS FROM CLOSED MEETING AND RESUMES THE REGULAR MEETING**

The Board resumed the regular meeting at 7:01 p.m. In addition to those listed above, also attending via remote participation were Chief School Business Official Luann Kolstad, Assistant Superintendent for Student Learning Lori Lopez; Director of Student Services Lea Anne Frost, Director of Innovation and Instructional Technology Mary Jane Warden; Director of Facility Management Ronald DeGeorge; Public Information Coordinator Peter Gill (attending but not participating); Administrative Assistant to the

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Superintendent Natasha Nedeljkovic; and approximately 30 members of the public. District legal counsel James Levi joined the meeting for the transportation services discussion portion of the agenda.

**PLEDGE OF ALLEGIANCE**

Board member Ryles led the pledge of allegiance.

**OPENING REMARKS FROM PRESIDENT OF THE BOARD**

Board president Biagi noted that the Board had been in a closed meeting to discuss the superintendent’s evaluation.

**PUBLIC COMMENTS**

Public comments were invited through a posted email address on the District website and in the Board report. Comments on non-agenda topics were received as follows:

- Joan Sandrik: Park Ridge resident submitted comments requesting revisions to the 2020-2021 school calendar to align institute or off days with elections, or to cease holding elections in the schools for the safety of the students.

**APPROVAL OF MEETING AGENDA**

The agenda was approved as posted with no amendments or additions.

**APPOINTMENT OF FIELD ELEMENTARY SCHOOL PRINCIPAL**

Superintendent Olson noted that the District had received 64 applications and after an extensive interview process, had selected Mrs. Courtney Goodman to lead Field School next year as its principal. Mrs. Goodman had been an assistant principal in Skokie District 731/2 for the past three years. Dr. Olson noted her positive personality and leadership qualities and welcomed her to the District. Mrs. Goodman introduced herself and greeted the Board.

**ACTION ITEM 20-04-10**

It was moved by Board member Sotos and seconded by Board member Little that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the appointment of Courtney Goodman as Field Elementary School Principal effective July 1, 2020, based on the recommendation of the Superintendent and not upon the Board’s direct knowledge regarding the individual selected for appointment.

The votes were cast as follows:

AYES: Little, Sales, Ryles, Biagi, Pearl, Sanchez, Sotos

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

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**APPOINTMENT OF EMERSON MIDDLE SCHOOL ASSOCIATE PRINCIPAL**

Dr. Olson announced the appointment of Ms. Tessa Aioffa as the next associate principal at Emerson. Ms. Aioffa had been an assistant principal at a high school for the past two years and will work alongside principal Samantha Alaimo. Ms. Aioffa introduced herself and greeted the Board.

**ACTION ITEM 20-04-11**

It was moved by Board member Sanchez and seconded by Board member Little that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the appointment of Tessa Aioffa as Emerson Middle School Associate Principal effective August 4, 2020, based on the recommendation of the Superintendent and not upon the Board’s direct knowledge regarding the individual selected for appointment.

The votes were cast as follows:

AYES: Little, Sanchez, Pearl, Sales, Ryles, Sotos, Biagi

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

**DISCUSSION AND APPROVAL OF AMENDMENTS TO TRANSPORTATION SERVICES AGREEMENTS**

Chief School Business Official Kolstad was joined by legal counsel James Levi and noted that this discussion had been tabled at the April 20 regular meeting. She had since been in contact with Lakeview Bus Lines, Inc. (Lakeview) and renegotiated the terms of the amendments. She stated that the regular transportation amendment to pay the bus company for services not rendered during school closures due to COVID-19 was no longer part of the discussion and had been removed. The amendment to the special education agreement would not cost the district any money, as it would be reimbursed by the Illinois State Board of Education (ISBE). Payments to the bus company would amount to 50% of 50% of the fees that the company would have earned for transporting special education students to and from school on regularly scheduled school days. Attorney Levi confirmed the terms and also stressed that the increase to next year’s contract had been brought down to 0% for the general education transportation services (instead of 3.75%), and 1.40% for the special transportation services agreement. Mr. Levi confirmed for the Board that language had been added to the agreement for the District to recoup any money if the bus company were to profit by collecting payments from other districts in excess of drivers salaries. Audit rights were included in the agreement. Mr. Levi also confirmed that ISBE had amended its regulations to provide for the reimbursements to school districts for these payments. The Board also discussed the possibility of requesting Lakeview in the future to perform services to the extent that schools remain closed next school year.

**ACTION ITEM 20-04-12**

It was moved by Board Member Pearl and seconded by Board Member Sanchez that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Third Amendment

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to the Regular Education Transportation Services Contract to Lakeview Bus Lines, Inc. at a 0% increase in the current rates for regular transportation.

The votes were cast as follows:

AYES: Ryles, Sanchez, Pearl, Sotos, Little, Sales, Biagi

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

**ACTION ITEM 20-04-13**

It was moved by Board Member Sanchez and seconded by Board Member Little that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the First Amendment to the Special Education Transportation Services Contract to Lakeview Bus Lines, Inc. at a 1.40% increase in the current rates for special education transportation.

The votes were cast as follows:

AYES: Sales, Biagi, Little, Sanchez, Sotos, Pearl

NAYS: Ryles

PRESENT: None

ABSENT: None

The motion carried.

**ACTION ITEM 20-04-14**

It was moved by Board Member Pearl and seconded by Board Member Sotos that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the COVID-19 related Second Amendment to the Special Education Transportation Services Contract with Lakeview Bus Lines, Inc. for the period of March 17, 2020 to April 30, 2020.

The votes were cast as follows:

AYES: Sotos, Little, Pearl, Sales

NAYS: Ryles, Biagi, Sanchez

PRESENT: None

ABSENT: None

The motion carried.

Mrs. Kolstad and attorney Levi left the meeting at the conclusion of this discussion.

**APPROVAL OF RECOMMENDED PERSONNEL REPORT**

It was noted that the Board is relying upon the recommendation of the Superintendent and

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administration in their professional judgment as to the hiring of these individuals per Policy 2:130.

Bianca Scroggins - resign as Kindergarten Teacher at Franklin School effective June 10, 2020.

Diane Kucharski - retire as EL Teacher at Franklin and Washington Schools effective June 10, 2020.

ACTION ITEM 20-04-15

It was moved by Board member Pearl and seconded by Board member Sanchez that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Personnel Report for April 27, 2020, noting that the Personnel Report is based on the recommendation of the Superintendent and not upon the Board’s direct knowledge regarding any of the specific individuals selected for employment.

The votes were cast as follows:

AYES: Ryles, Little, Sanchez, Pearl, Biagi, Sotos

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

**DISCUSSION AND APPROVAL OF PROGRAM PROPOSAL FOR EXPANDING THE CONTINUUM OF SERVICES**

The Board resumed the discussion that had started at the April 27, 2020 regular meeting, and discussed the possibility of not voting on this issue but merely providing it with Board support via consensus. The Board noted that under normal circumstances, this would not have come to the Board for approval, and would be an administrative decision. Director Frost presented the updated data from the previous week, mainly the additional viewers of the iMovie posted online, the updated FAQ sheet, and charts following the parent survey. She noted an increase of 40% in the survey participation from the previous week and stated that the District had reached more people than a mere in-person presentation would have under normal circumstances. The charts once again showed the top strengths perceived of the new program: specialized instruction, opportunity to remain within the district, and the inclusion of the special education students as a positive for both the special and general education population. The main concerns were once again staff allocation and costs. The Board then asked some questions and resumed the discussion. Dr. Frost confirmed that training would take place promptly if this program were to go ahead. She stated that all building administrators were informed of the proposal and expressed their support. She noted that 11 students were currently outplaced and met the profile for this program. The Board noted the need to provide the program for older students as well and the need for services to be in place at higher grade levels as well. The Board stressed that this was not the end of the special education discussion, only one element of the necessary changes that needed to take place. President Biagi asked for comments received on this topic, which were read as they were being received by email:

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- Miki Vucic Tesija: District 64 parent and PT3 member, would have liked for the District to consider a homeschool model even if she does support the Structured Learning Center (SLC). She would like to have such SLC at the middle school levels as well. Mrs. Tesija subsequently submitted another comment on the power and duties of the Board in which she expressed concern that they would not vote on this program proposal and thought it was within their duties to do so.
- Lorena Fisher: District parent and PT3 member, submitted a comment on the cost of the new SLC versus the cost to the district for outplaced students. She subsequently commented the district should implement a task force to implement an overall special education program, noting that PT3 had no decision-making power.
- Grant Haughton: parent of an outplaced student and former PT3 member, commented to add his support of the new SLC program and stress the necessity to keep pushing through the issues raised by a prior audit.
- Tom Fisher: District parent and PT3 member wanted clarification on plans to address the continuum of services for students in grades 4 through 7.
- Jenni Belmonte: staff member at Carpenter elementary, commented to say that severe structural changes were made to the sped program in past administration.

Dr. Frost confirmed that the administration will build on this program for the future in order to address the needs of older students. The Board then resumed the discussion centered on its responsibility, noting that it did not want to set a precedent for the superintendent and the administration to have to seek the Board's approval on future decisions. The Board reached consensus that a vote was not required and it would provide informal approval for the program to proceed. All Board members voiced their support of the program. Members thanked Dr. Frost, Dr. Olson and the PT3 group for their work. They noted they would like to see the training take place quickly, as well as a possible future implementation at the middle school level. They also noted that the survey's charts reflected positive feedback on communication received and applauded the work of the administration to restore the lost trust.

Dr. Olson and Dr. Frost confirmed that PT3 meetings would resume shortly virtually.

### **NEW BUSINESS**

The Board inquired about a possible enrollment increase due to private school students transferring during the COVID-19 pandemic and subsequent financial impact. Dr. Olson stated the District would look at the numbers and watch out for any influx. He noted that the District was working on refunding lunch money and packing students' items in the schools by having staff collect and bag them. Staff would come in on a staggered schedule to pack and label and the District would then plan for parents to come in and collect safely.

### **ADJOURNMENT**

At 9:34 p.m. it was moved by Board member Sotos and seconded by Board member Sanchez to adjourn, which was approved by unanimous voice vote.

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Signed Date: May 18, 2020.

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President

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Secretary

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Inspire every child to



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

Regular Board Meeting Agenda  
Monday, June 22, 2020  
Jefferson School - Multipurpose Room  
8200 Greendale Avenue  
Niles, IL 60714

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

**6:45 p.m. Meeting of the Board Convenes**

- Roll Call

**Board Adjourns from the Regular Meeting and Convenes to a Public Hearing on Resolution to Authorize a Permanent Interfund Transfer**

**7:00 p.m. Board Adjourns from Public Hearing on Resolution to Authorize a Permanent Interfund Transfer and Resumes Regular Board Meeting**

**Pledge of Allegiance**

**Opening Remarks from President of the Board**

**Public Comments**

**A-1 Approval of Meeting Agenda**

--Board President

The Board reserves the right to review the agenda at the beginning of each meeting and request additions, amendments, or deletions prior to approval.

**A-2 Judith L. Snow Awards**

--Superintendent and ELF Representatives

**A-3 Review FY20 Tentative Budget Draft**

--Chief School Business Official

**A-4 Approval of Recommended Personnel Report**

--Board President

**Action Item 20-06-1**

**A-5 Consent Agenda**

--Board President

**Action Item 20-06-2**

- Bills, Payroll and Benefits
- Approval of Financial Update for the Period Ending May 31, 2020
- Second Reading and Approval of Policies from PRESS 103
- Approval of Final Calendar 2019-20
- Resolutions for Fund Transfers
- Approval of District 64 FOIA Officers
- Approval of Maine Township School Treasurer Depositories
- Approval of Hold or Release of Closed Minutes
- Destruction of Audio Closed Recordings (None)

**A-6**

**Approval of Minutes**

--Board President

**Action Item 20-06-3**

- May 18, 2020 - Closed Meeting
- May 18, 2020 - Regular Meeting

**A-7**

**Other Discussion and Items of Information**

--Superintendent

- Upcoming Agenda
- FOIA requests
- Memorandum of Information (None)
- Enrollment Update

**A-8**

**New Business**

**Adjournment**

Next Meeting:

**Thursday, July 9, 2020**

Regular Meeting - 7:00 p.m.

**Jefferson School - Multipurpose Room**

8200 Greendale Avenue, Niles, IL 60714

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

To: Board of Education  
Dr. Eric Olson, Superintendent

From: Luann Kolstad, Chief School Business Official

Date: May 18, 2020

Subject: 2020-21 Health, Dental, and Life Insurance Rates

The administration has received our renewal rates for our health, dental, and life insurance for our employees (Attachment 1). The District participates in the Northern Illinois Health Insurance Program (NIHIP), a cooperative of approximately 30 school districts. Through the cooperative, we share the risks and rewards of pooling our insurance. Our renewal rates are higher than in past years due to many districts in the pool having a lot of medical issues resulting in higher experience percentages. For many years, the pool carried District 64 since we have had a very bad experience with our health insurance claims. Our health insurance program is part of all of our union contracts and can only have significant changes made during contract negotiations. We are only making changes required by NIHIP at this time to help control costs in the cooperative. If you should have any questions regarding our rates or programs, please contact me.



The Gallagher Centre  
2850 Golf Road  
Rolling Meadows, IL 60008  
P: 847.273.3944  
F: 630.285.4000

04/10/2020

Luann Kolstad  
Park Ridge-Niles School District 64  
164 S Prospect Avenue  
Park Ridge, IL 60068

RE: **Park Ridge-Niles SD 64 2020/2021 – Renewal Rates**

Dear Luann:

Below are the District's renewal rates for Park Ridge-Niles SD 64 effective September 1, 2020. The rates are based on the following plan changes for the 2020-2021 plan year.

- Terminating Grandfathered HMOI 15 Plan
- Adding HMOI 20 Plan
- Terminating BAHMO 20 Plan
- Adding BAHMO 30 Plan
- Renewal Premiums reflect the following renewal action:
  - PPO: +7.6%
  - HMO: +7.7%
  - Dental: +5.2%
  - Vision: No Change
  - Life/ADD: No Change

#### NIHIP BlueCross Medical

PPO 350		PPO 750		PPO 1200	
Single	\$969.35	Single	\$844.30	Single	\$747.22
Single + 1	\$1,913.45	Single + 1	\$1,666.61	Single + 1	\$1,475.38
Family	\$2,740.38	Family	\$2,386.85	Family	\$2,112.95

HDHP 1400		HMOI 20		BAHMO 30	
Single	\$791.35	Single	\$593.34	Single	\$550.41
Single + 1	\$1,562.13	Single + 1	\$1,171.27	Single + 1	\$1,086.52
Family	\$2,237.22	Family	\$1,677.43	Family	\$1,556.03

#### NIHIP MetLife Dental PPO

Single	\$41.10
Single + 1	\$79.27
Family	\$127.30

#### NIHIP VSP Buy-Up Vision

Single	\$7.93
Family	\$22.32

#### NIHIP Voya Basic Life and AD&D

Basic Life	\$.058 per \$1,000
Basic AD&D	\$.018 per \$1,000

Please contact me with any questions.

Sincerely,  
Maritoni Andrade  
Benefit Consultant





**PARK RIDGE-NILES  
SCHOOL DISTRICT 64**

164 South Prospect Avenue • Park Ridge, IL 60068 • (847) 318-4300 • F (847) 318-4351 • d64.org

**COMMITTEE-OF-THE-WHOLE MEETINGS 2020-21**

SEPTEMBER 3 (Facilities)

OCTOBER 15 (Finance)

FEBRUARY 4 (Special Education)

JUNE 3 (Budget)

Park Ridge-Niles School District 64  
Board of Education Policy Committee  
Hendee Educational Service Center  
164 S. Prospect Ave., Park Ridge, IL 60068

Minutes of the Meeting  
April 23, 2020 at 11:00 a.m.

Committee members in attendance via video conference:

Dr. Eric Olson, Superintendent

Rebecca Little, Board Member

Carol Sales, Board Secretary

The Board Policy Committee meeting began via remote participation at 11:04 a.m. via Google Hangout. The committee reviewed and discussed the Board policies listed below. These Board policies were previously reviewed by the District Policy Committee.

**Review Draft Policies from PRESS 103**

- 2:125 School Board – Board Member Compensation; Expenses
- 2:160 School Board – Board Attorney
- 4:50 Operational Services – Payment Procedures
- 5:35 General Personnel – Compliance with the Fair Labor Standards Act
- 5:50 General Personnel – Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition
- 5:60 General Personnel – Expenses
- 5:150 General Personnel – Personnel Records
- 5:210 Professional Personnel – Resignations
- 5:280 Educational Support Personnel – Duties and Qualifications
- 6:135 Instruction – Accelerated Placement Program
- 6:235 Instruction – Access to Electronic Networks
- 6:280 Achievement – Grading and Promotion
- 7:70 Students – Attendance and Truancy
- 7:90 Students – Release During School Hours
- 7:130 Students – Student Rights and Responsibilities
- 7:325 Students – Student Fundraising Activities
- 8:10 Community Relations – Connection with the Community
- 8:30 Community Relations – Visitors to and Conduct on School Property
- 8:80 Community Relations – Gifts to the District
- 8:110 Community Relations – Public Suggestions and Concerns

These policies will be presented for First Reading at the May 18, 2020 regular board meeting, followed by a second reading and approval at the June 22, 2020 regular board meeting with any additional revisions.

## **Complete Review of Policy 2:230 – Public Participation at Board of Education Meetings and Petitions to the Board**

The Committee discussed Policy 2:230 and the necessity of excluding any content-based restrictions on public comments, especially in light of *Mnyofu v. Bd. of Ed of Rich Township HS Dist. 227*, No. 10-cv-7870 (N.D. Ill. 2011). In addition, Policy 8:30—Conduct on School Property already prohibits people on school property from threatening, harassing, or intimidating staff members as well as the use of vulgar or obscene language.

### **New Business**

The Committee discussed the issuance of refunds for extended day kindergarten and the Press 103 progress report on COVID-19.

### **Adjournment**

Meeting adjourned at 11:31 a.m.

05/18/20