



Board of Education Regular Meeting November 12, 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 during the public comments section of the meeting with the name of the submitter. Please write your comments in accordance with [Board Policy 2:230](#), including ensuring a 3-minute time limit when read.

Public comments will be read at the beginning of the meeting for non-agenda items, and during discussion of agenda items. Please email your comments to:

d64-publiccomments@d64board.org

Attendee Options to Connect:

- Please click this [link](#) to join the webinar through a computer or mobile device.
Password: 2mpN5Q
- iPhone one-tap: **US: +13126266799,,93187264945#,,,,,0#,,356452#**
- Telephone: **US: +1 312 626 6799 (Chicago)**
and dial when prompted –
Meeting ID: 931 8726 4945
Password: 356452

One District 64 administrator will participate in the virtual meeting from a public location and a limited number of the public will be able to attend. For the regular Board meeting on Thursday, November 12, Roosevelt School (Gym), 1001 S Fairview Ave, Park Ridge, will be the designated meeting location. The main entrance doors to the building will open 15 minutes prior to the start of the meeting. There is a strict limit of no more than 50 people gathering in one place in effect for this meeting, and face masks are mandatory. Anyone present at this location will be allowed to participate during the public comments portion of the meeting.

Please note that District 64 is following all meeting guidelines identified by the state.

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.
- During the Public Comment portions, the Administrative Assistant to the Superintendent will read the emails that have been sent to 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
Thursday, November 12, 2020

VIRTUAL MEETING

*Alternate Remote Attendance Location: Roosevelt School - Gym
1001 S. Fairview Ave, Park Ridge, IL 60068*

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.

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

- Roll Call

Board Recesses & 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)].

6:45 p.m. Board Adjourns from Closed Meeting & Convenes to a Public Hearing on 2020 Tax Levy

7:00 p.m. Board Adjourns from Public Hearing on 2020 Tax Levy & Resumes the Regular Meeting

Pledge of Allegiance

Opening Remarks from President of the Board

Public Comments

Each speaker is given 3 minutes to address the Board. Comments may be made on almost any matter related to the operation of schools. Each person appearing before the Board will be treated with courtesy and respect, and the Board requests the same in return. In light of the privacy of personnel and student matters, commenters are strongly discouraged from speaking about individual staff or students during public comment. Commenters are instead encouraged to first raise such concerns privately with the Board President or Administration. The Board, however, recognizes each commenter's First Amendment rights; thus, it will not prohibit commenters from speaking about individual staff or students, subject to well-recognized exceptions under the First Amendment, such as obscenity, threats, fighting words, or incitements to violence.

- 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 Student/Staff Recognition**
 • D64 Technology Department Staff
- A-3 School Board Member Appreciation Day**
 --Superintendent
- A-4 PT3 Board Update**
 --Director of Student Services/PT3 Representatives
- A-5 Return to In-Person Learning Update**
 --Superintendent
- A-6 Discussion of Abatement of the 2020 Debt Service Levy**
 --Chief School Business Official/Chapman & Cutler
- A-7 Approval of Staffing Agreements for Substitute Teachers with Parallel Group & Swing Education**
 --Assistant Superintendent for Human Resources
 • Approval of Agreement with Parallel Group **Action Item 20-11-1**
 • Approval of Agreement with Swing Education **Action Item 20-11-2**
- A-8 Presentation of Draft Calendar for 2021-22 School Year**
 --Superintendent
- A-9 Approval of Settlement Agreement with Student 2020-21 (1)**
 --Superintendent **Action Item 20-11-3**
- A-10 Approval of Recommended Personnel Report**
 --Board President **Action Item 20-11-4**
- A-11 Consent Agenda**
 --Board President **Action Item 20-11-5**
 • Bills, Payroll, and Benefits
 • Approval of Financial Update for the Period Ending September 30, 2020
 • Second Reading & Approval of Policies from PRESS 105
 • Destruction of Audio Closed Recordings (None)
- A-12 Approval of Minutes**
 --Board President **Action Item 20-11-6**
 • October 8, 2020 - Closed Meeting
 • October 8, 2020 - Regular Meeting

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
From: Eric Olson, Superintendent
Date: November 12, 2020
Re: Student/Staff Recognition: D64 Technology Department Staff

The COVID-19 pandemic that has affected society during this past year has created a school year like no other. Remote learning, Hybrid Learning, and Zoom meetings suddenly appeared and became day-to-day routines of the Information Technology team. Like all school districts, District 64 has placed a heavy reliance on our IT Department.

Since last March, just about everything we do has had to be run through the Technology Department. Students needed computers, headphones and plugs along with service support to make sure they all worked. Teachers needed both hardware and software support just so they could see and communicate with their students.

They've had to address problems when Schoology goes down or Google virtual meetings don't work right. Every single department in the district is leaning on technology just to be able to communicate with each other.

Please join us in thanking our IT team for their perseverance, dedication and skills that have helped us continue our work during the pandemic. The Technology Department is led by Mary Jane Warden, Director of Innovation and Instructional Technology, and is made up of 26 people in four groups:

- Tech Central:
 - Gorman Christian - Technology Network Manager
 - Janice Santos - Assistant Technology Manager
 - Kevin Glover - District Technologist (Devices and Hardware)
 - Sam Vanis - District Technologist (Web and Media)
 - Kelly Craig - secretary

- Technologists at each school:
 - At Carpenter - Ashley Hardiman
 - At Field - Suzanne Galluzzi
 - At Franklin - Kathy Wipf
 - At Roosevelt - Gretchen Buhrke
 - At Washington - Paul Endre
 - At Emerson - Dan Pacurar
 - At Lincoln - Peter Pierucci

- Library Info Specialists
 - At Carpenter - Kathleen Loftus
 - At Field - Caroline Schaab
 - At Franklin - Andrea Hetzke
 - At Roosevelt - Taryn Handlon
 - At Washington - Brittney Joyce
 - At Emerson - Katie Contreras
 - At Lincoln - Denise Reeder

- Instructional Tech Coaches at each school:
 - At Carpenter - Kevin Michael
 - At Field - Jessica Radek
 - At Franklin - Sofia Garcia
 - At Roosevelt - Kim Clarkson
 - At Washington - Rachel Labuz
 - At Emerson - Angel Villarreal
 - At Lincoln - Julie Powell

Please see the following slides (attachment 1) to meet these dedicated staff members.

Meet

[D64 TECH]





TECH CENTRAL



JANICE SANTOS

Secretary/Office Support
PowerSchool



SAM VANIS

Web, Media
Communications
Jefferson School



GORMAN CHRISTIAN

Network
Servers / Systems



KEVIN GLOVER

Device Management,
A/V, Projection



DAN PACURAR

Network, Servers, Systems
Emerson Middle School



TECHNOLOGISTS



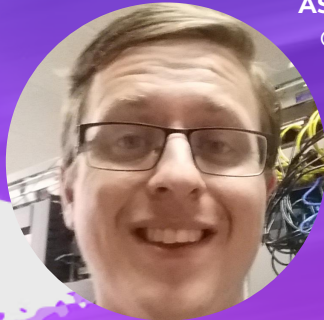
ASHLEY HARDIMAN
Carpenter School



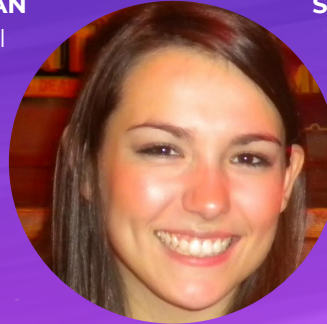
SUZANNE GALLUZZI
Field School



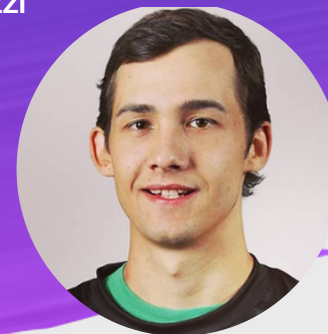
KATHY WIPF
Franklin School



PETER PIERUCCI
Lincoln Middle School



GRETCHEN BUHRKE
Roosevelt School



PAUL ENDRE
Washington School



LIBRARY INFO SPECIALISTS



KATHLEEN LOFTUS
Carpenter School



KATIE CONTRERAS
Emerson Middle School



CAROLINE SCHAAB
Field School



ANDREA HETZKE
Franklin School



DENISE REEDER
Lincoln Middle School



TARYN HANDLON
Roosevelt School



BRITTNEY JOYCE
Washington School



INSTRUCTIONAL TECH COACHES



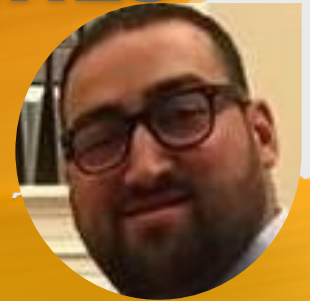
KEVIN MICHAEL
Carpenter School



SOFIA GARCIA
Franklin School



JESSICA RADEK
Field School



ANGEL VILLARREAL
Emerson Middle School



JULIE POWELL
Lincoln Middle School



KIM CLARKSON
Roosevelt School



RACHEL LABUZ
Washington School



SLIDE TEMPLATE CREDITS

Special thanks to all the people who made and released these awesome resources for free:

- Presentation template by [SlidesCarnival](#)
- Photographs by [Unsplash](#)

To: Board of Education
From: Eric Olson, Superintendent
Date: November 12, 2020
Re: School Board Members Day

District 64 is joining other Illinois districts to thank the members of our Board of Education for your contributions to public education. The official statewide observance of School Board Members Day in Illinois is on Sunday, Nov. 15.

Sponsored by the Illinois Association of School Boards, the honorary day is an opportunity for the district and community to show support for their board of education and its commitment to providing a local voice for your educational vision. This year's theme for School Board Members Day is "Perseverance through Leadership." This leadership has taken on new meaning in 2020.

This is a time to reflect on the board's role in creating lasting educational opportunities that meet local desires and offer a pathway to a successful future for each and every child. It's a chance to honor board members who serve as unpaid volunteers for the benefit of the students and the community, while also acting as front-line education advocates for the district.

All of these responsibilities still hold true, but they take on a much larger meaning in 2020. For board members, the tough choices this year go beyond traditional educational outcomes. While continuing to champion academic success, school board members must also weigh their decisions in terms of the health and safety of students, teachers, and members of the community.

For school boards this year, it is about making the most out of difficult circumstances and persevering during challenge times, while still being able to achieve the goals necessary for our students to become outstanding citizens. Thank you for your dedication and commitment to the community of District 64, and thank you for your leadership during this extremely difficult time in our lives.



To: Board of Education
Dr. Eric Olson, Superintendent
From: Dr. Lea Anne Frost, Director of Student Services
Date: November 12, 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.

In 2019-20, PT3 worked largely on the creation of a new specialized program for students (Structured Learning Community program or SLC) which began this fall at Washington School. PT3 had also established two additional workgroups, Parent Education and Stakeholder Communication, however, limited time was allocated to these groups due to the time and activities related to the creation of the SLC.

PT3 Update

PT3 has met twice since the beginning of this school year: September 15 and October 21.

At our September 15 meeting, we welcomed new members and provided a brief overview of PT3. We also revisited our PACT, purpose and Student Services mission. Additionally, we resumed work on our two sub-groups: Parent Education and Stakeholder Communication.

At our October 21 meeting, we spent most of our time planning and developing materials in our subgroups. The parent education subgroup is working on creating video vignettes for parents of students with special needs. The first series will be based on a “What you can expect” framework addressing the three most common types of IEP meetings (domain, initial IEP, and annual review). In this series, the videos will identify the purpose of the meeting, who is involved in the meeting, and supply a description of the activities that occur in the meeting.

These videos will be posted on one of the Student Services webpages.

Additionally, on October 21, the stakeholder communication subgroup reviewed the Student Services webpages and other districts’ websites. This group will be making alterations to the current D64 Student Services webpages, including adding materials, so that parents can easily access information and resources about programs, services, and procedures.

At the Board meeting, we will have a staff representative, Ms. Bublitz, and a parent representative, Ms. Laudadio, who will each provide a verbal report to the Board.

Return to In-Person Learning Update

Superintendent, Dr. Eric Olson, will give the Board an update on where In-Person learning stands currently, and what plans are in place going forward for this school year.

To: Board of Education
Dr. Eric Olson, Superintendent
From: Luann Kolstad, Chief School Business Official
Date: November 12, 2020
Re: Discussion of Abatement of the 2020 Debt Service Levy

At the October 8, 2020 Board of Education meeting, administration briefly discussed with the Board the option of abating the 2020 Debt Service Tax Levy. Tonight, the administration and Anjali Vij, Partner, Chapman and Cutler, LLP will discuss and answer any questions from the Board related to the abatement.

Background on 2014A Bonds:

In February 2014, the Board of Education issued \$7.9M in General Obligation Limited Tax School Bonds, known as the “2014A Bonds”. These bonds were issued to pay for repair and maintenance work at Field Elementary School. The final payment on the bonds, in the amount of \$350,200, is due in calendar year 2021.

Current Situation:

The Debt Service Fund has accumulated approximately \$2.1M in Interest Income and Lost & Cost Income. Given the current situation in the community and the world, administration is recommending that the \$350,200 bond payment be paid directly from the Debt Service Fund and that the 2020 Debt Service Levy be formally abated. This will provide approximately \$72 per household savings for a home valued at \$400K, the amount will increase/decrease based on the actual home/business value.

The remaining funds in the Debt Service Fund will be evaluated to determine how much is Interest Income and the amount that is Lost & Cost Income. If the Board chooses, the Interest Income can be moved to another fund in need. The Lost & Cost Income will remain in the fund and can be used when the Board issues bonds in the future.

If the Board chooses to move forward with the abatement, the Resolution (Attachment 1) will be brought for adoption at the December 10, 2020 regularly scheduled Board meeting. The Resolution will then be filed with the County Clerk’s office. The Resolution will read as follows:

“RESOLUTION abating all the taxes heretofore levied for the year 2020 to pay debt service on the General Obligation Limited Tax School Bonds, Series 2014A, of Community Consolidated School District Number 64, Cook County, Illinois.”

Further information on the remaining balance in the Debt Service Fund will be provided to the Board once a determination on the funds is made by our auditors.

MINUTES of a regular public meeting of the Board of Education of Community Consolidated School District Number 64, Cook County, Illinois, held at the Lincoln Middle School Building, 200 South Lincoln Avenue, Park Ridge, Illinois, in said School District at 7:00 o'clock P.M., on the 10th day of December, 2020.

* * *

The meeting was called to order by the President, and upon the roll being called, the following members were physically present at said location:

The following members attended the meeting by video or audio conference:

The following members were absent and did not participate in the meeting in any manner or to any extent whatsoever:

The following officials of the District were physically present at said location and ensured the availability of electronic meeting access by video and/or audio conference to any members of the public attending the meeting in person at said location and requesting such access:

The President announced that the next item of business before the Board of Education was the consideration of a resolution abating all of the taxes heretofore levied for the year 2020 to pay debt service on the General Obligation Limited Tax School Bonds, Series 2014A.

Whereupon Member _____ presented and the Secretary read by title a resolution as follows, copies of which were available to everyone in attendance at said meeting who requested a copy:

RESOLUTION abating all of the taxes heretofore levied for the year 2020 to pay debt service on the General Obligation Limited Tax School Bonds, Series 2014A, of Community Consolidated School District Number 64, Cook County, Illinois.

* * *

WHEREAS, the Board of Education (the “*Board*”) of Community Consolidated School District Number 64, Cook County, Illinois (the “*District*”), by a resolution adopted on the 24th day of February, 2014, as supplemented by a Notification of Sale dated the 25th day of February, 2014 (the “*2014 Resolution*”), did provide for the issue of \$7,900,000 General Obligation Limited Tax School Bonds, Series 2014A (the “*2014A Bonds*”), and the levy of a direct annual tax to pay the principal of and interest on the 2014A Bonds; and

WHEREAS, on the 25th day of February, 2014, a duly certified copy of the 2014 Resolution was filed in the office of the County Clerk of Cook County, Illinois (the “*County Clerk*”) and on the 11th day of March, 2014, a related Direction for Abatement of Taxes was filed in the office of the County Clerk; and

WHEREAS, the Board has determined and does hereby determine that the District has funds on hand and lawfully available to pay all of the principal and interest on the 2014A Bonds due on June 1, 2021, and December 1, 2021 (the “*Available Funds*”); and

WHEREAS, the Board has determined and does hereby determine that it is necessary and in the best interests of the District to apply the Available Funds to the payment of the 2014A Bonds and abate all of the taxes heretofore levied for the year 2020 to pay all of the principal and interest on the 2014A Bonds due on June 1, 2021, and December 1, 2021; and

WHEREAS, the Available Funds have been deposited to the bond and interest fund (the “*Bond Fund*”) established pursuant to the Resolution for the purpose of paying the principal of and interest on the 2014A Bonds; and

WHEREAS, it is necessary and in the best interests of the District that all of the taxes heretofore levied for the year 2020 to pay the 2014A Bonds be abated:

NOW, THEREFORE, Be It and It is Hereby Resolved by the Board of Education of Community Consolidated School District Number 64, Cook County, Illinois, as follows:

Section 1. Incorporation of Preambles. The Board hereby finds that all of the recitals contained in the preambles to this resolution are full, true and correct and does incorporate them into this resolution by this reference.

Section 2. Abatement of Taxes. All of the taxes heretofore levied for the year 2020 in the Resolution shall be abated by the amount of Available Funds on deposit in the Bond Fund. The amount of the taxes currently on file for the year 2020 to pay debt service on the 2014A Bonds, the amounts of the taxes to be abated for said year, and the remainder of the taxes levied to be extended for said year to pay debt service on the 2014A Bonds are as follows:

FOR THE 2014A BONDS

LEVY YEAR	TAXES CURRENTLY ON FILE	AMOUNT TO BE ABATED	REMAINDER OF TAX TO BE EXTENDED SUFFICIENT TO PRODUCE
2020	\$350,200.00	\$350,200.00	\$0.00

Section 3. Filing of Resolution. Forthwith upon the adoption of this resolution, the Secretary of the Board shall file a certified copy hereof with the County Clerk, and it shall be the duty of the County Clerk to abate all of said taxes levied for the year 2020 in accordance with the provisions hereof.

Section 4. Severability. If any section, paragraph, clause or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this resolution.

Section 5. Repealer and Effective Date. All resolutions or parts thereof in conflict herewith be and the same are hereby repealed and that this resolution shall be in full force and effect forthwith upon its adoption.

Adopted December 10, 2020.

President, Board of Education

Secretary, Board of Education

Member _____ moved and Member _____ seconded the motion that said resolution as presented and read by title be adopted.

After a full discussion thereof, the President directed that the roll be called for a vote upon the motion to adopt said resolution.

Upon the roll being called, the following members voted AYE:

NAY:

Whereupon the President declared the motion carried and said resolution adopted, approved and signed the same in open meeting and directed the Secretary to record the same in the records of the Board of Education of Community Consolidated School District Number 64, Cook County, Illinois, which was done.

Other business not pertinent to the adoption of said resolution was duly transacted at the meeting.

Upon motion duly made, seconded and carried, the meeting was adjourned.

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION OF RESOLUTION AND MINUTES

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Board of Education (the “*Board*”) of Community Consolidated School District Number 64, Cook County, Illinois (the “*District*”), and as such official I am the keeper of the records and files of the District and the Board.

I do further certify that the foregoing constitutes a full, true and complete transcript of the minutes of the meeting of the Board held on the 10th day of December, 2020, insofar as same relates to the adoption of a resolution entitled:

RESOLUTION abating all of the taxes heretofore levied for the year 2020 to pay debt service on the General Obligation Limited Tax School Bonds, Series 2014A, of Community Consolidated School District Number 64, Cook County, Illinois.

a true, correct and complete copy of which said resolution as adopted at said meeting appears in the foregoing transcript of the minutes of said meeting.

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient and open to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Board at least 48 hours in advance of the holding of said meeting, that at least one copy of said agenda was continuously available for public review during the entire 48hour period preceding said meeting, that said agenda contained a separate specific item concerning the proposed adoption of said resolution, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, and with the provisions of the School Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board in the passage of said resolution.

IN WITNESS WHEREOF, I hereunto affix my official signature, this 10th day of December, 2020.

Secretary, Board of Education

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

FILING CERTIFICATE

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of Cook, Illinois, and as such official I do further certify that on the ____ day of _____, 2020, there was filed in my office a duly certified copy of a resolution entitled:

RESOLUTION abating all of the taxes heretofore levied for the year 2020 to pay debt service on the General Obligation Limited Tax School Bonds, Series 2014A, of Community Consolidated School District Number 64, Cook County, Illinois.

duly adopted by the Board of Education of the Community Consolidated School District Number 64, Cook County, Illinois, on the 10th day of December, 2020, and that the same has been deposited in the official files and records of my office.

I do further certify that all of the taxes heretofore levied for the year 2020 for the payment of the General Obligation Limited Tax School Bonds, Series 2014A, as described in said resolution will be abated as provided in said resolution.

IN WITNESS WHERETO, I hereunto affix my official signature and the seal of said County, this ____ day of _____, 2020.

County Clerk

(SEAL)

To: Board of Education
Dr. Eric Olson Superintendent
From: Dr. Joel T. Martin, Assistant Superintendent for Human Resources
Date: November 12, 2020
Re: Approval of Staffing Agreements for Substitute Teachers with Parallel Group & Swing Education

The administration is presenting two contracts from companies that supply substitute teachers to school districts for approval. Due to the COVID-19 virus, the District is experiencing a shortage in substitute teachers. There are two main factors that have contributed to the shortage of substitutes this school year. First, the District pool of individuals willing to be substitute teachers has decreased significantly due to COVID-19. Second, a number of District substitutes are used every day to support students in classrooms where teachers are live streaming into the classroom due to medical needs. As a result, there are not always enough substitutes available to cover other absences within the District.

Due to the substitute shortage, the District administration has been exploring contracts with multiple companies to provide additional staff during this unprecedented time. There are two contracts being brought forward for approval - Swing Education and Parallel Employment Group. There are a number of significant aspects to both of these contracts. The District can opt out at any time without penalty and the District only pays for substitutes used. Therefore, if we were to move to full remote or if there were a vaccine and COVID-19 no longer became an issue, the District is not locked into using either of these companies services. Additionally, these two companies would work in tandem with our current District substitute pool; they would not absorb or replace current staff. Both of these contracts have been reviewed by our legal counsel.

Important information:

- Criminal background checks are completed on all substitutes
- Physical fitness certifications are required for all substitutes
- Substitute credentials are verified by the companies
- Substitute on-boarding and training is provided by the companies - mandated reporter status is part of this process

ACTION ITEM 20-11-1

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the agreement with Parallel Employment Group, as amended.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

ACTION ITEM 20-11-2

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Swing Education agreement, subject to attorney review and approval.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

***Educational Staffing Services Agreement II
Parallel Education***

This Agreement for Educational Staffing Services (the “Agreement”) is made and entered into effective as of this 15th day of October, 2020 (“Effective Date”), by and between Parallel Employment Group, Inc. Education Division (“Parallel”) and Park Ridge-Niles School District 64 (Client).

<u>Position Title</u>	<u>Pay Rate</u>	<u>Bill Rate</u>
Substitute Teacher	\$16.00/hr	\$21.04/hr
Substitute Teacher Long Term	\$34.67/hr	\$45.59/hr
Assistant Teacher/Aid	\$16.00/hr	\$21.04/hr
Assistant Teacher/Aide Long Term	\$34.67/hr	\$45.59/hr
Clerical/Office Support	\$15.00/hr	\$19.73/hr

Long Term Sub: Substitute Teacher and Long Term Asst. Teacher are paid at the higher rate after 3 weeks on the same assignment. School may hire the Parallel Teacher after 120 accumulated workdays on the same assignment with no conversion fee unless otherwise approved by Parallel. Direct Hire options are also available.

All other services, taxes and labor burden are included and covered in the above bill rates. The above rates are guaranteed through the duration of the 2020-2021 school years except where unforeseen costs are incurred due to mandated state and/or federal tax, ACA and/or teacher retirement laws.

Details of Services Included:

- Transcript and Certification/License Verification
- Orientation
- National Criminal Background Checks including Sex Offender Data Base Screening and Social Security Trace
- Fingerprint Criminal Background Screening
- Automated Absence Management System and Substitute Request Tool
- Worker’s Compensation and Unemployment Benefits
- All Applicable Taxes and Insurance
- Mandated Reporter Training
- ABA/NCI Training

Contract to Hire**120 Day No Conversion Fee**

Our most successful business partnerships are with those companies that do look to our Substitute Teacher pool to fill vacant positions. Parallel's partner schools and districts may permanently hire skilled, clerical and professional temporary employees at no additional conversion fee to the client after 120 days of assignment at Client through Parallel.

Direct Hire Recruitment Program

Parallel Education offers professional recruitment services to our partner schools and districts. We will recruit, pre-screen, test (where applicable) qualified candidates to fill vacant positions in your school or district. Through a mutual agreed upon process and timeline, we will present the pre-screened candidate to you so you may conduct your phone and in-person interviews. The direct hire fee includes a 30-day guarantee. Parallel will not invoice the client if direct hire candidate is terminated by the school, district or voluntarily quits within the first 30 days, directly following hire by client. Parallel will invoice client on day 31 from the original date of hire.

The Direct Hire Placement fee for retained employees will be \$7,000.

Educational Staffing Services Agreement Terms and Conditions

1. Parallel shall send Client a weekly invoice for Services performed by all Assigned Employees during that week ("Weekly Invoice") according to the Fee Schedule set forth on page 1 of this agreement. Client agrees to remit invoice payments to Parallel. Payment terms are net 45 days from receipt of invoice.
2. Assignment Substitutes are eligible for hire without a conversion fee after completion of 120 workdays. Any exception to this policy must be approved in writing by Parallel.
3. Client agrees to pay Parallel a "Direct Hire Fee" for any Assigned Parallel Employee Client hires within ninety (90) days of when the Assigned Parallel Employee last performed Contracted Services under this Agreement. The amount of such Direct Hire Rate is set forth in this Agreement. Such amount shall be added to any applicable Weekly Invoice and is subject to the interest fee provisions set forth in this Agreement
4. Client and Parallel will negotiate new terms, in good faith, when new or increased labor costs associated with client assigned employees that Parallel is legally required to pay – such as wages, benefits, payroll taxes, social program contributions or charges linked to benefit levels – If an agreement on new rates is not agreed upon in writing, by CLIENT and Parallel within 45 days notice the agreement will be terminated with outstanding invoices due by CLIENT within net 45 days.
5. Client agrees it will verify the dates and hours worked for all Assigned Employees placed by Parallel, and will notify Parallel on a weekly basis of the verified hours and dates.

6. Client shall provide Parallel with notice of cancellation of any assignment of an Assigned Employee at least two (2) hours prior to the start of Client's school day. This notice shall be provided when an Assigned Employee's assignment ends and/or for any day wherein the Assigned Employee is not needed at Client's campus, including but not limited to, school closings and professional development days. Client agrees to pay Parallel a late cancellation fee equal to two (2) hours of the "Bill Rate" of this Agreement for any assignments it cancels without providing notice. Such amount shall be added to any applicable Weekly Invoice and is subject to the interest fee provisions set forth in this Agreement. Client may request that a previously accepted assignment is changed or updated. So long as the general duties of the position are the same the reassignment does not require the Client to pay a two hour cancellation. If the Parallel employee refused the change of assignment, and the job duties are similar to those that they initially accepted, they will not be compensated for reporting to Client site.
7. This agreement will auto-renew each year after the initial contract term unless either party notifies the other in writing 60 days prior to requesting a change and/or termination of this agreement. Upon termination of this Agreement, for whatever reason, Client shall pay Parallel within forty-five (45) days of termination the total amount of any outstanding balance owed to Parallel by Client.
8. Client shall indemnify, defend and hold harmless Parallel for any claims, costs, expenses, damages, obligations, or losses, including cost of suit, settlement and reasonable attorneys' fees, arising from or in connection with or in any way relating to: (a) the negligence, gross negligence, or intentional misconduct of Client and/or Client's employees or authorized agents; (b) the failure of Client or Client's employees or authorized agents to comply with any local, state, or federal law related to on the job treatment of Assigned Employees; and (c) Client's violation of federal, state and/or local laws.
9. Parallel shall indemnify, defend and hold harmless Client for any claims, costs, expenses, damages, obligations, or losses, including cost of suit, settlement and reasonable attorneys' fees, arising from or in connection with or in any way relating to: (a) the negligence, gross negligence, or intentional misconduct of Parallel and/or Parallel's employees or authorized agents; (b) the failure of Parallel or Parallel's employees or authorized agents to comply with any local, state, or federal law; and (c) Parallel's violation of federal, state and/or local laws.
10. For liability reasons, Parallel Education can only supply Substitute Teachers for grades Pre-K and above, which must be located in an Educational Institution. Parallel Education cannot supply subs for any facility that is a state licensed Daycare Center. If a Daycare Center is located within a school, Parallel Education Substitutes may only work in designated Pre-K classrooms, not within the Daycare Center itself.

Authorized representatives of the parties have executed this Agreement below to express their agreement to its terms. By signing below, you indicate your authority to enter into this agreement with Parallel Education Division and your agreement to the fees, terms and conditions within this agreement.

PARALLEL EDUCATION DIVISION

Kathy Mayer- National Account Executive

Signature

Date

Name and Address of School

Print Name and Title

Date

Signature

**AMENDMENT TO
EDUCATIONAL SERVICES STAFFING AGREEMENT
BY AND BETWEEN
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64
AND
PARALLEL EMPLOYMENT GROUP, INC.**

This Amendment (“**Amendment**”) is entered into by and between Community Consolidated School District No. 64 (“**Client**”) and Parallel Employment Group, Inc. (“**Parallel**”) and amends the Educational Staffing Services Agreement dated October 15, 2020 (“**Agreement**”), entered into by Client and Parallel. Client and Parallel are collectively referred to as the “**Parties**”.

1. **Effect of Amendment.** The terms and conditions contained herein shall supersede and control over those contained in the Agreement. Should there be any conflict between this Amendment and any other agreed upon language between the Parties, this Amendment shall control. Capitalized terms in this Amendment shall have the same meaning as those in the Agreement unless otherwise specified herein. Community Consolidated School District No. 64 shall also mean Park Ridge-Niles School District No. 64.
2. **Term.** Paragraph 7 of the Agreement is hereby deleted. The term of this Agreement shall commence on the Effective Date and shall terminate on June 30, 2021. The Parties may extend the Agreement upon their mutual written consent.
3. **Services.** Parallel shall provide substitute teachers, teacher’s aids and or clerical staff (collectively, “**Staff**”) to Client on the dates, times and the locations requested by Client (“**Services**”). All Staff provided hereunder shall be employees of Parallel. No services of any individual shall be provided under this Agreement except with prior written approval of the Client, and at the dates and times approved by Client. Client shall pay Parallel at the rates set forth on Page 1 of the Agreement for the Services; Client shall not pay the Staff directly for any Services provided. Parallel shall submit invoices for Services rendered to Client. Payments by Client shall be made on a monthly basis and in accordance with the *Illinois Local Government Prompt Payment Act* (“**Prompt Payment Act**”). Interest may be charged on late payments only in accordance with the Prompt Payment Act, and no additional interest or penalties will be charged.
4. **Pension Reportability.** It is the understanding of the Parties that the individuals performing Services under this Agreement are not eligible to participate in the Teachers’ Retirement System (“**TRS**”) or any other pension system. However, upon notification by the Client that the Client has been notified by a pension system or has otherwise made a determination that an individual performing Services is covered by TRS (or another state pension system for which contributions are required), Parallel and Client shall negotiate any changes to fees to address financial responsibility for employer contributions to such pensions system. Parallel shall cooperate with the Client in obtaining completion of necessary forms related to pension enrollment and remittances. The Client shall not be liable to Parallel or any individual providing services for any determination regarding eligibility for participation in any pension system or for the accuracy of calculation or remittance of contributions amounts to the pension system on behalf of such individuals or Parallel.
5. **Criminal Background Checks.** Parallel shall ensure that all individuals performing Services under the Agreement, prior to performing such Services, submit to a criminal background investigation in accordance with 105 ILCS 5/10-21.9, as well as all other required background investigations, test and screenings. Unless directed otherwise by the Client, all criminal background investigations shall be performed by the Client or Client’s agent, at Parallel’s expense.

6. **Physical Fitness Certification.** In accordance with 105 ILCS 5/24-5, all individuals performing Services who are subject to the background check requirements in Paragraph 5 also shall submit to a physical examination by a physician licensed in Illinois or any other state to practice medicine and surgery in all its branches, and shall, upon request, provide Client with evidence of physical fitness to perform duties assigned and freedom from communicable disease. Parallel represents and warrants to the Client that all individuals providing Services to Client have successfully passed such physical exams.

7. **Expenses.** Client shall not be responsible for any expenses incurred by Parallel or its employees in providing any Services under the Agreement, unless specifically agreed to in writing by Client.

8. **Independent Contractor.** No relationship of employer and employee is created by this Agreement between Parallel (or the individuals performing Services through Parallel) and the Client, it being understood that Parallel and such individuals will provide Services as an independent contractor. Parallel acknowledges that Parallel and the individuals performing Services through Parallel are performing Services separately and independently from Client's control, supervision, direction and evaluation; that they each have a full opportunity to find other business; that each has made their own investment in his/her business; and that they will utilize a high level of skill necessary to perform the Services described. Client shall have no obligation to provide training to these individuals related to the performance of their duties in accordance with professional standards. Parallel, through its individuals providing Services, shall have the responsibility to comply with all applicable laws and standards of care in the provision of Services.

The provision of Services by Parallel under this Agreement shall not constitute probationary service or otherwise contribute toward tenure with Client under the Illinois *School Code*. Parallel and individuals performing Services hereunder shall have no claim under this Agreement or otherwise against Client for vacation pay, sick leave, retirement benefits, workers' compensation, disability or unemployment insurance benefits, or any other wages or benefits of any kind. Parallel acknowledges that it is solely responsible for any taxes, including but not limited to, self-employment tax and federal and state income tax that it must pay in connection with this Agreement, and is further responsible for providing all compensation and benefits (including, but not limited to, sick leave) and making all required tax withholdings and filings with respect to the individuals performing Services. Client will pay Parallel only for hours actually worked.

9. **Records and Confidentiality.** Parallel and individuals performing Services through Parallel shall have access to Client records (including, but not limited to student and personnel records) only to the extent necessary for performance of the Services. Parallel agrees that any information it and or the individuals providing Services hereunder receive from Client or otherwise in the performance of Services with respect to individual Client employees or students in conjunction with Services provided under the Agreement shall remain the property of Client and shall be treated and maintained by Parallel and the individual providing Services as confidential information and used only for the identified purposes in conjunction with the Services under the Agreement.

Student record information shall be left and maintained at Client at all times except with the express written permission of Client. Such records shall not be disclosed to third parties for any reason other than to law enforcement or medical personnel in the event of an emergency or as otherwise may be required by law, and will not be used for Parallel's own personal or business purposes outside the performance of Services under the Agreement. All information that qualifies as a student record under *Family and Educational Rights Privacy Act* and the *Illinois School Student Records Act* shall be handled by Parallel in accordance with those laws. If there is a breach of such information (i.e. disclosure to a third party by Parallel or agent or employee of Parallel), Parallel shall, within two (2) calendar days of knowledge of the incident, inform Client of the breach and the data affected. Parallel further agree to comply with all state and federal laws, including, but not limited to, the *Illinois School Student Records Act*, the *Illinois Mental Health Act and Developmental Disabilities Confidentiality Act*, the federal *Family Educational Rights and Privacy Act*, the

Health Insurance Portability and Accountability Act of 1996 (“**HIPAA**”) and all rules and regulations governing the release of student, personnel, and medical records. Parallel also shall abide by all other records confidentiality obligations of Client and all Client policies and procedures applicable to same. Should Client determine a Business Associate Agreement is necessary under HIPAA, Parallel agrees to enter into such an agreement.

Upon termination of the Agreement for whatever reason, any Client employee or student record information in possession of Parallel or individuals performing Services hereunder shall be returned to Client and all copies of such information in all formats destroyed in accordance with all applicable laws and U.S. Department of Education and Privacy Technical Assistance Center guidelines within 30 days of termination unless the Agreement provides for Parallel to maintain the records for a longer period of time.

Client is subject to the *Freedom of Information Act* and may disclose any records of Parallel when it determines in its discretion that such disclosure is required pursuant to law. Any provisions of the Agreement purporting to impose confidentiality of the terms of the Agreement, Parallel records or information contrary to these obligations as interpreted by Client are void.

10. Termination. This Agreement may be terminated as follows: by either party, with or without cause, at any time, upon the provision of ten (10) days’ written notice. In addition, Client may terminate the Agreement or any assignment thereunder immediately upon written notice if it no longer needs the Services. Notwithstanding any notice period for termination of the Agreement, Client may remove and request replacement of any individual performing Services under the Agreement immediately, at any time, if Client determines the continued presence of such individual is not in the best interest of Client or its students. Client shall provide an explanation for the removal, but shall not be required to cite to specific policies or laws that have been violated. If an individual performing Services is removed by Client, Parallel shall not reassign such individual to Client without disclosure of such removal and receipt of written approval from Client. Upon termination of the Agreement by either party, Client shall owe Parallel only for Services actually performed. No penalty or other additional payments shall apply.

11. Return of Property. Upon termination of the Agreement, Parallel and any individual performing Services hereunder will promptly return to Client all documents, materials, drawings, and other tangible manifestations of confidential Client information (and all copies and reproductions thereof).

12. Indemnification. All indemnification provisions contained in Agreement are hereby stricken and replaced with the following: “Parallel will indemnify, defend, and hold harmless the Board of Education of Community Consolidated School District No. 64, its individual Board members, employees, agents, representatives, insurers, successors, and assigns (“**Indemnitees**”) from and against any and all claims, demands, charges, complaints, causes of action, fines and penalties (including, but not limited to, attorney’s fees), and other liability arising from, related to, or connected in any way with any negligent act or omission of Parallel (or any individual performing Services through Parallel) or any breach of this Agreement by Parallel. The foregoing indemnification shall survive the expiration or termination of this Agreement. Additionally, Parallel waives any and all rights against Client it may have under any Worker’s Compensation Act or interpretations of such law.

13. Insurance. Parallel shall maintain the following types and amounts of insurance for the duration of this Agreement.

- a. *Commercial General Liability Insurance.* Commercial General Liability Insurance, on an occurrence basis, with policy limits of not less than one million dollars (\$1,000,000) for each occurrence and two million dollars (\$2,000,000) in the aggregate. Such insurance must include coverage for sexual abuse and molestation.

- b. *Umbrella or Excess Insurance.* Umbrella or Excess Liability Insurance with policy limits of not less than three million dollars (\$3,000,000) for each occurrence and in the aggregate. The excess or umbrella insurance shall follow the form of the underlying Commercial General Liability Insurance in all respects.
- c. *Professional Liability Insurance.* Professional Liability Insurance with policy limits of not less than one million dollars (\$1,000,000) for each claim and one million dollars (\$1,000,000) in the aggregate.
- d. *Worker's Compensation Insurance and Employer's Liability Insurance.* Worker's Compensation Insurance in the amounts required by applicable laws and Employer's Liability Insurance with policy limits of not less than one million dollars (\$1,000,000) each accident for bodily injury by accident and one million dollars (\$1,000,000) each employee for bodily injury by disease. Notwithstanding, any injuries or illnesses suffered or experienced by Parallel, either in an individual capacity or by its employees, agents or subcontractors, shall be the sole responsibility of Parallel and; as such, neither Client nor its Worker's Compensation Insurance will carry any responsibility.
- e. *Automobile Liability Insurance.* Automobile Liability Insurance with a policy limit of no less than one million dollars (\$1,000,000) each accident. Such insurance shall cover liability arising out of any auto (including owned, hired, and non-owned autos).
- f. *Additional Insureds, Priority of Insurance and Subrogation.* Parallel shall name, by endorsement if necessary, the Indemnitees as additional insureds on a primary and non-contributory basis, on all insurance required hereunder, with the sole exception being Worker's Compensation Insurance. All insurance required of Parallel under this Agreement shall be primary insurance and any insurance maintained by Client that is applicable to any loss arising out of, related to or connected with this Agreement shall be on an excess basis. Parallel waives, to the fullest extent permitted by the applicable insurance policy, any and all rights of subrogation it and its insurers may have against the Indemnitees.
- g. *Evidence of Insurance.* Upon execution of this Agreement, Parallel shall provide a current insurance certificate evidencing the insurance required. Upon demand by Client, Parallel shall provide Client with copies of the insurance policies, with all endorsements thereto, required hereunder. All insurers referenced in this Paragraph 13 must be licensed to do business in the State of Illinois and have an AM Best Financial Rating of at least A.

14. Binding Effect and Cumulative Rights. The covenants and conditions contained in the Agreement shall apply to and bind the Parties and their heirs, legal representatives, successors and permitted assigns. The Parties' rights under this Agreement are cumulative, and shall not be construed as exclusive of each other unless otherwise required by law.

15. Waiver and Entire Agreement. The failure of either party to enforce any provisions of this Agreement shall not be deemed a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Agreement. Additionally, this Agreement constitutes the entire agreement between the Parties and supersedes any prior understanding or representation of any kind preceding the date of this Agreement. There are no other promises, conditions, understandings or other agreements, whether oral or written, relating to the subject matter of this Agreement. This Agreement may be modified in writing, which amendment must be signed by both Client and Parallel to be effective.

16. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois notwithstanding its choice of law provisions. The appropriate venue for any litigation arising out of this Agreement shall be Cook County Circuit Court or the U.S. District Court, Northern District, Eastern Division.

17. **Subcontracting and Assignment.** Parallel shall not have the right to subcontract, delegate, assign or otherwise transfer its rights or obligations under this Agreement without the prior written consent of Client, which may be withheld in its sole discretion. Subject to the foregoing, this Agreement shall inure to the benefit of and be binding upon the Parties and their respective successors and permitted assigns.

18. **Bid Rigging Certification.** As required by the *Criminal Code*, 720 ILCS 5/33E-11, by executing this Agreement, Parallel certifies that it is not barred from contracting with any unit of State or local government for any reason whatsoever, including, but not limited to, a violation of the bid rigging (Section 33E-3) or bid rotating (Section 33E-4) provisions of the *Criminal Code* or as a result of a violation of any other law. Parallel acknowledges that Client may declare this Agreement void if the certification herein is false.

19. **Other Laws, Rules and Policies.** Parallel and individuals performing Services shall comply with all applicable laws, ordinances, rules, regulations and codes as well as all Client policies and regulations and procedures, now in force or which may hereafter be in force, pertaining to the Services provided under this Agreement. Furthermore, Parallel represents and warrants that it and each of the individuals performing the Services, has, and shall maintain during the term of this Agreement, all licenses required to perform the Services hereunder if required by law or by other terms of this Agreement. Parallel represents and warrants to Client that no individual performing Services is a convicted child sex offender or otherwise prohibited from being present on Client's property. Individuals performing Services will be required to sign an acknowledgment of mandated reporter status for purposes of the *Abused and Neglected Child Reporting Act*, and shall provide evidence of completion of the DCFS online training for such obligations. Individuals performing Services also shall abide by all laws and Client policies and procedures applicable to his/her presence on school property and the provision of Services under this Agreement. Smoking and use and possession of alcohol is prohibited on school property.

20. **Health and Safety Rules.** Parallel and all individuals providing Services hereunder must comply with all Client rules, procedures, and instructions and any guidance or requirements from federal, state, and local public health officials relating to health and safety precautions (*e.g.*, additional cleanings, disinfection, social distancing, face coverings, hand washing, sanitization, and temperature and symptom checks).

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on the dates written below.

CLIENT:

**COMMUNITY CONSOLIDATED
SCHOOL DISTRICT NO. 64**

By: _____
Its: _____

PARALLEL:

**PARALLEL EMPLOYMENT
GROUP, INC.**

By: _____
Its: _____

To: Board of Education
 From: Dr. Eric Olson, Superintendent
 Date: November 12, 2020
 Re: Presentation of Draft Calendar for 2021-22 School Year

Background

The District previously submitted a tentative draft of this calendar to the Board on January 7, 2020. The final draft of the calendar (Attachment 1) is presented to the Board tonight for a review before adoption at the December 10, 2020 regular Board meeting. The calendar committee met on October 20, 2020 and made no significant changes to the previously submitted tentative calendar.

Here is a summary of the key points of the current draft:

- School begins for students on Thursday, August 19, 2021
- The number of Institute Days is kept at three as in past practice.
- Winter and Spring Recess dates are in alignment with Maine Township High School District 207's current draft calendar
- 8th-grade promotion is scheduled for Thursday, June 2, 2022
- The last day of student attendance will be June 3, 2022 unless a Records' Day occurs on that day, in which case the last day of school will be June 2, 2022.
- Columbus Day will now be labeled as "Indigenous Peoples' Day", in alignment with neighboring districts, and in anticipation of this becoming law in the State of Illinois in the coming year, or at the Cook County level.

Here is a summary of the key dates for the 2021-22 calendar in comparison to the 2020-21 calendar, which was adopted by the Board on December 16, 2019.

Adopted 2020-21	Draft 2021-22
Institute Days – Tuesday, August 25, 2020; Wednesday, August 26, 2020; Tuesday, November 3, 2020	Institute Days – Tuesday, August 17, 2021; Wednesday, August 18, 2021; Tuesday, November 2, 2022
First Day for Students – Thursday, August 27, 2020	First Day for Students – Thursday, August 19, 2021
Winter Recess – Begin Monday, December 21, 2020 - Return Monday, January 4, 2021	Winter Recess – Begin Monday, December 20, 2021 - Return Monday, January 3, 2022
Spring Recess – Begin Monday, March 22, 2021 - Return Monday, March 29, 2021	Spring Recess – Begin Monday, March 21, 2022 - Return Monday, March 28, 2022
8th Grade Promotion - Thursday, June 10, 2021	8th Grade Promotion - Thursday, June 2, 2022
Last Day – Friday, June 11, 2021	Last Day – Friday, June 3, 2022

End of Trimesters: November 30, 2020 March 10, 2021 June 11, 2021	End of Trimesters: November 15, 2021 March 2, 2022 June 3, 2022
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DRAFT 11/12/2020

SCHOOL DISTRICT 64 PARK RIDGE-NILES
2021-2022

AUGUST

Mon	Tue	Wed	Thr	Fri	Total
2	3	4	5	6	0
9	10	11	12	13	0
16	TI	TI	(19)	20	2
23	24	25	26	27	5
30	31				2
Total					9

SEPTEMBER

Mon	Tue	Wed	Thr	Fri	Total
		1	2	3	3
HOL	7	8	9	10	4
13	14	15	16	17	5
20	21	22	23	24	5
27	28	29	30		4
Total					21

OCTOBER

Mon	Tue	Wed	Thr	Fri	Total
				1	1
4	5	6	7	8	5
HOL	12	13	14	15	4
18	19	20	21	22	5
25	26	27	28	29	5
Total					20

NOVEMBER

Mon	Tue	Wed	Thr	Fri	Total
1	TI	3	4	5	4
8	9	10	11	12	5
15	16	17	18	19	5
FPT	NIA	NIA	HOL	NIA	0
29	30				2
Total					16

DECEMBER

Mon	Tue	Wed	Thr	Fri	Total
		1	2	3	3
6	7	8	9	10	5
13	14	15	16	17	5
NIA	NIA	NIA	NIA	NIA	0
NIA	NIA	NIA	NIA	NIA	0
Total					13

JANUARY

Mon	Tue	Wed	Thr	Fri	Total
3	4	5	6	7	5
10	11	12	13	14	5
HOL	18	19	20	21	4
24	25	26	27	28	5
31					1
Total					20

FEBRUARY

Mon	Tue	Wed	Thr	Fri	Total
	1	2	3	4	4
7	8	9	10	11	5
14	15	16	17	18	5
HOL	22	23	24	25	4
28					1
Total					19

MARCH

Mon	Tue	Wed	Thr	Fri	Total
	1	2	3	4	4
7	8	9	10	11	5
14	15	16	17	18	5
NIA	NIA	NIA	NIA	NIA	0
28	29	30	31		4
Total					18

APRIL

Mon	Tue	Wed	Thr	Fri	Total
				1	1
4	5	6	7	8	5
11	12	13	14	FPT	4
18	19	20	21	22	5
25	26	27	28	29	5
Total					20

MAY

Mon	Tue	Wed	Thr	Fri	Total
2	3	4	5	6	5
9	10	11	12	13	5
16	17	18	19	20	5
23	24	25	26	27	5
HOL	31				1
Total					21

JUNE

Mon	Tue	Wed	Thr	Fri	Total
		1	2	3	3
XED	XED	XED	XED	XED	0
13	14	15	16	17	0
20	21	22	23	24	0
27	28	29	30		0
Total					3

JULY

Mon	Tue	Wed	Thr	Fri	Total
				1	0
4	5	6	7	8	0
11	12	13	14	15	0
18	19	20	21	22	0
25	26	27	28	29	0
Total					0

School Begins for Students:	8/19/21
School Closes for Students:	6/3/22
Pupil Attendance Days:	180
Approved Institute Days:	3
Approved All Day Parent/Teacher:	2
Conference Days:	
TOTAL (185 days or more):	185
Proposed Emergency Days	5

SCHOOL HOLIDAYS

Labor Day	9/6/21
Indigenous Peoples' Day	10/11/21
Veterans' Day	11/11/21
Thanksgiving Day	11/25/21
Christmas Day	12/25/21
New Year's Day	1/1/22
M.L. King Day	1/17/22
President's Day	2/21/22
Memorial Day	5/30/22
8th Grade Promotion	6/2/22

CALENDAR LEGEND

Legal School Holiday:	HOL
Institute Day	TI
Not in Attendance	NIA
School Begins	(
School Ends)
Full-day Parent/Teacher Conf.	FPT
Proposed Emergency Days	XED

Potential Records Day 3/04/22
Potential Records Day 6/03/22

tentative draft 1/7/20

final draft 11/12/20

UPCOMING ELECTIONS

End of First Trimester	11/15/21
End of Second Trimester	3/2/22
End of Third Trimester	6/3/22

Approve Settlement Agreement with Student 2020-21 (1)

ACTION ITEM 20-11-3

I move that Board the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the settlement agreement with the parents of student 2020-21 (1).

It was moved by _____ and seconded by _____.

The votes were cast as follows:

AYES:

NAYS:

PRESENT:

ABSENT:

Approval of Recommended Personnel Report

ACTION ITEM 20-11-4

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Personnel Report dated November 12, 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:

November 12, 2020
Personnel Report

Anthony Ackerman	Employ as Night Custodian at Field School and ESC effective October 5, 2020 - \$17.03 hourly.
Karl Cash	Employ as Night Custodian at Roosevelt School effective October 5, 2020 - \$17.03 hourly.
Snezana Cenich	Employ as Health Assistant at Field and Franklin Schools effective October 13, 2020 - \$16.66 hourly.
Christopher Csongradi	Employ as Night Custodian at Washington School effective October 13, 2020 - \$17.03 hourly.
Susan Fleita	Employ as Health Assistant at Emerson and Jefferson Schools effective October 13, 2020 - \$16.66 hourly.
Brandon Kirincich	Employ as Night Custodian at Emerson School effective October 5, 2020 - \$17.03 hourly.
Randy Lubash	Employ as Floater Night Custodian for the District effective November 9, 2020 - \$17.03 hourly.
Meghaen Mleczek	Employ as Teaching Assistant at Emerson School effective November 2, 2020 - \$16.66 hourly.
Joanne Nadler	Employ as Teaching Assistant at Roosevelt School effective November 2, 2020 - \$16.66 hourly.
John Samp	Employ as Night Custodian at Lincoln School effective October 6, 2020 - \$17.03 hourly.
Sarah Smith	Employ as 1st Grade Teacher at Field School effective October 7, 2020 - BA, Step 1 - \$44,257.38.
Colleen Story	Employ as .69 Teaching Assistant at Lincoln School effective November 2, 2020 - \$16.66 hourly.

Consent Agenda

ACTION ITEM 20-11-5

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Consent Agenda for November 12, 2020, which includes: Bills, Payroll and Benefits; Approval of Financial Update for the Period Ending September 30, 2020; Second Reading and Approval of Policies from PRESS 105; 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: 07/01/2020 - 11/12/2020
 Voucher Range: 1075 - 1093

Sort By: Vendor
 Dollar Limit: \$0.00

Fiscal Year: 2020-2021

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

Check Number	Date	Voucher	Payee	Account	Description	Amount
NCB	11/12/2020	1090	Zaner Bloser, Inc.	10.0000.1110.4200.209.61.000000	Handwriting 2020 Grade 2C Student Edition	\$1,438.80
NCB	11/12/2020	1090	Zaner Bloser, Inc.	10.0000.1110.4200.209.61.000000	Handwriting Grade 2 Paper Ream, 1/2" Horizontal	\$0.00
NCB	11/12/2020	1090	Zaner Bloser, Inc.	10.0000.1110.4200.209.61.000000	Handwriting 2020 Grade 3 Student Edition	\$1,498.75
NCB	11/12/2020	1090	Zaner Bloser, Inc.	10.0000.1110.4200.209.61.000000	Handwriting Grade 3 Paper Ream, 3/8" Vertical Ruling,	\$0.00
NCB	11/12/2020	1090	Zaner Bloser, Inc.	10.0000.1110.4200.209.61.000000	Handwriting Story-Writing Paper Half-ream, 5/8"	\$0.00
NCB	11/12/2020	1090	Zaner Bloser, Inc.	10.0000.1110.4200.209.61.000000	SHIPPING & HANDLING	\$398.67
Check Total:						\$23,006.27
Bank Total:						\$2,270,057.94

<u>Fund</u>	<u>Amount</u>
10	\$1,759,159.81
20	\$351,009.31
30	\$12,859.05
40	\$137,549.35
60	\$9,480.42
Fund Totals:	\$2,270,057.94

End of Report

Disbursements Grand Total: \$2,270,057.94

Community Consolidated School District No. 64

Fund Balances

Fiscal Year: 2020-2021

Month: October

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	\$32,115,885.16	\$24,473,843.58	(\$17,623,292.78)	\$0.00	\$38,966,435.96
20	Operations & Maintenance Fund	\$3,478,196.17	\$2,710,279.37	(\$2,111,932.82)	\$0.00	\$4,076,542.72
30	Debt Services Fund	\$3,674,487.08	\$785,984.89	(\$53,510.49)	\$0.00	\$4,406,961.48
40	Transportation Fund	\$1,924,279.79	\$712,906.80	(\$11,391.27)	\$0.00	\$2,625,795.32
50	Municipal Retirement Fund	\$834,815.39	\$348,058.83	(\$298,997.58)	\$0.00	\$883,876.64
51	Social Security/Medicare Fund	\$585,806.83	\$409,549.28	(\$322,551.51)	\$0.00	\$672,804.60
60	Capital Projects Fund	\$3,100,311.72	\$222.72	(\$3,174,179.85)	\$0.00	(\$73,645.41)
61	Cap Projects Fund - 2017 Debt Certs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
70	Working Cash Fund	\$812,220.81	\$224,256.09	\$0.00	\$0.00	\$1,036,476.90
80	Tort Fund	\$617,632.11	\$164,417.69	(\$500,361.50)	\$0.00	\$281,688.30
Grand Total:		\$47,143,635.06	\$29,829,519.25	(\$24,096,217.80)	\$0.00	\$52,876,936.51

End of Report

This Report Can be Viewed on the

[Financial Data Current](#)

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????

Account Type: Expenditure

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
10 - Education Fund					
0000 - Undesignated					
1110 - Elementary Education					
1000 - Salaries	\$11,658,407.26	\$865,054.43	\$1,294,482.97	\$9,737,396.11	\$626,528.18
2000 - Employee Benefits	\$1,616,712.89	\$115,161.59	\$173,866.96	\$1,303,746.67	\$139,099.26
3000 - Purchased Services	\$152,649.00	\$134.74	\$57,896.61	\$46,651.44	\$48,100.95
4000 - Supplies <\$500	\$651,359.00	\$37,198.75	\$47,303.19	\$145,453.87	\$458,601.94
6000 - Other Objects	\$5,714.00	\$0.00	\$0.00	\$0.00	\$5,714.00
1110 - Elementary Education Total:	\$14,084,842.15	\$1,017,549.51	\$1,573,549.73	\$11,233,248.09	\$1,278,044.33
1111 - Response to Intervention					
1000 - Salaries	\$2,733,343.31	\$210,783.96	\$317,757.38	\$2,418,516.33	(\$2,930.40)
2000 - Employee Benefits	\$298,733.12	\$23,169.55	\$34,409.09	\$265,966.32	(\$1,642.29)
3000 - Purchased Services	\$9,200.00	\$0.00	\$0.00	\$0.00	\$9,200.00
4000 - Supplies <\$500	\$4,000.00	\$0.00	\$0.00	\$3,653.04	\$346.96
1111 - Response to Intervention Total:	\$3,045,276.43	\$233,953.51	\$352,166.47	\$2,688,135.69	\$4,974.27
1112 - General Music					
1000 - Salaries	\$1,065,719.91	\$82,904.10	\$124,295.69	\$938,719.22	\$2,705.00
2000 - Employee Benefits	\$149,278.27	\$11,985.57	\$17,977.45	\$136,401.98	(\$5,101.16)
3000 - Purchased Services	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
4000 - Supplies <\$500	\$32,183.00	\$6,948.65	\$8,185.54	\$18,293.63	\$5,703.83
5000 - Capital Expenditures > \$1,500	\$10,190.00	\$0.00	\$0.00	\$2,050.00	\$8,140.00
6000 - Other Objects	\$290.00	\$0.00	\$0.00	\$0.00	\$290.00
7000 - Equipment \$500 - \$1,500	\$3,500.00	\$0.00	\$0.00	\$858.00	\$2,642.00
1112 - General Music Total:	\$1,264,161.18	\$101,838.32	\$150,458.68	\$1,096,322.83	\$17,379.67
1113 - Art Program					
1000 - Salaries	\$1,048,254.07	\$80,735.54	\$120,476.82	\$928,017.27	(\$240.02)
2000 - Employee Benefits	\$121,662.76	\$8,121.96	\$8,985.38	\$90,530.54	\$22,146.84
3000 - Purchased Services	\$2,600.00	\$0.00	\$0.00	\$0.00	\$2,600.00
4000 - Supplies <\$500	\$70,846.00	\$10,240.87	\$10,240.87	\$30,335.31	\$30,269.82
5000 - Capital Expenditures > \$1,500	\$10,000.00	\$0.00	\$0.00	\$4,630.00	\$5,370.00
6000 - Other Objects	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00
7000 - Equipment \$500 - \$1,500	\$6,353.00	\$0.00	\$0.00	\$0.00	\$6,353.00
1113 - Art Program Total:	\$1,259,915.83	\$99,098.37	\$139,703.07	\$1,053,513.12	\$66,699.64
1114 - Instrumental Music					

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
1000 - Salaries	\$630,789.35	\$44,239.89	\$65,970.57	\$499,138.40	\$65,680.38
2000 - Employee Benefits	\$78,500.18	\$6,222.24	\$9,312.28	\$70,092.96	(\$905.06)
3000 - Purchased Services	\$11,500.00	\$0.00	\$0.00	\$320.00	\$11,180.00
4000 - Supplies <\$500	\$14,500.00	\$1,368.75	\$1,368.75	\$0.00	\$13,131.25
5000 - Capital Expenditures > \$1,500	\$6,000.00	\$0.00	\$0.00	\$0.00	\$6,000.00
6000 - Other Objects	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00
7000 - Equipment \$500 - \$1,500	\$5,500.00	\$0.00	\$0.00	\$0.00	\$5,500.00
1114 - Instrumental Music Total:	\$748,789.53	\$51,830.88	\$76,651.60	\$569,551.36	\$102,586.57
1116 - Physical Education Program					
1000 - Salaries	\$2,253,407.26	\$178,403.92	\$262,934.60	\$1,990,772.66	(\$300.00)
2000 - Employee Benefits	\$259,686.25	\$19,437.22	\$25,977.69	\$218,701.51	\$15,007.05
3000 - Purchased Services	\$14,750.00	\$0.00	\$0.00	\$1,043.00	\$13,707.00
4000 - Supplies <\$500	\$69,950.00	\$21,450.00	\$21,450.00	\$11,929.74	\$36,570.26
1116 - Physical Education Program Total:	\$2,597,793.51	\$219,291.14	\$310,362.29	\$2,222,446.91	\$64,984.31
1117 - Chorus Program					
1000 - Salaries	\$26,907.76	\$0.00	\$0.00	\$0.00	\$26,907.76
1117 - Chorus Program Total:	\$26,907.76	\$0.00	\$0.00	\$0.00	\$26,907.76
1119 - Foreign Language					
1000 - Salaries	\$1,203,036.67	\$94,383.31	\$138,280.73	\$1,064,995.94	(\$240.00)
2000 - Employee Benefits	\$146,650.85	\$11,252.86	\$16,100.98	\$127,860.29	\$2,689.58
3000 - Purchased Services	\$5,990.00	\$5,280.00	\$5,280.00	\$244.65	\$465.35
4000 - Supplies <\$500	\$31,865.00	\$21,332.85	\$21,332.85	\$4,710.13	\$5,822.02
1119 - Foreign Language Total:	\$1,387,542.52	\$132,249.02	\$180,994.56	\$1,197,811.01	\$8,736.95
1120 - Middle School Education					
1000 - Salaries	\$5,838,959.18	\$451,136.06	\$666,111.53	\$5,097,329.96	\$75,517.69
2000 - Employee Benefits	\$770,500.39	\$64,711.84	\$92,622.95	\$690,926.83	(\$13,049.39)
3000 - Purchased Services	\$53,596.00	\$3,990.00	\$25,619.83	\$42,614.09	(\$14,637.92)
4000 - Supplies <\$500	\$195,391.00	\$49,405.17	\$56,080.81	\$39,913.73	\$99,396.46
6000 - Other Objects	\$570.00	\$0.00	\$600.00	\$0.00	(\$30.00)
1120 - Middle School Education Total:	\$6,859,016.57	\$569,243.07	\$841,035.12	\$5,870,784.61	\$147,196.84
1130 - Reg. Ed. Curriculum Specialist					
1000 - Salaries	\$367,416.27	\$29,887.28	\$44,018.68	\$333,378.03	(\$9,980.44)
2000 - Employee Benefits	\$55,907.94	\$4,324.96	\$6,475.26	\$49,582.27	(\$149.59)
1130 - Reg. Ed. Curriculum Specialist Total:	\$423,324.21	\$34,212.24	\$50,493.94	\$382,960.30	(\$10,130.03)
1200 - Special Education					

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
1000 - Salaries	\$5,332,149.44	\$410,736.86	\$592,222.23	\$4,444,955.21	\$294,972.00
2000 - Employee Benefits	\$1,078,871.04	\$94,411.94	\$133,914.46	\$995,851.02	(\$50,894.44)
3000 - Purchased Services	\$93,200.00	\$4,480.29	\$34,159.80	\$1,800.00	\$57,240.20
4000 - Supplies <\$500	\$223,500.00	\$22,027.35	\$34,465.68	\$186,324.52	\$2,709.80
5000 - Capital Expenditures > \$1,500	\$6,000.00	\$0.00	\$0.00	\$1,749.98	\$4,250.02
6000 - Other Objects	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
7000 - Equipment \$500 - \$1,500	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
1200 - Special Education Total:	\$6,739,720.48	\$531,656.44	\$794,762.17	\$5,630,680.73	\$314,277.58
1225 - Pre-K Special Education					
1000 - Salaries	\$639,989.13	\$47,977.00	\$71,114.25	\$541,333.42	\$27,541.46
2000 - Employee Benefits	\$166,180.46	\$12,880.52	\$18,534.52	\$144,446.82	\$3,199.12
4000 - Supplies <\$500	\$26,434.00	\$2,352.16	\$3,089.26	\$4,733.90	\$18,610.84
7000 - Equipment \$500 - \$1,500	\$4,000.00	\$0.00	\$0.00	\$0.00	\$4,000.00
1225 - Pre-K Special Education Total:	\$836,603.59	\$63,209.68	\$92,738.03	\$690,514.14	\$53,351.42
1250 - Remedial Programs					
1000 - Salaries	\$101,277.02	\$0.00	\$0.00	\$0.00	\$101,277.02
2000 - Employee Benefits	\$25,366.92	\$0.00	\$0.00	\$0.00	\$25,366.92
4000 - Supplies <\$500	\$0.00	\$0.00	\$1,932.70	\$0.00	(\$1,932.70)
1250 - Remedial Programs Total:	\$126,643.94	\$0.00	\$1,932.70	\$0.00	\$124,711.24
1410 - Industrial Arts					
1000 - Salaries	\$304,731.95	\$23,440.92	\$35,161.38	\$269,570.57	\$0.00
2000 - Employee Benefits	\$49,580.69	\$4,687.24	\$6,084.58	\$46,247.40	(\$2,751.29)
3000 - Purchased Services	\$750.00	\$0.00	\$0.00	\$0.00	\$750.00
4000 - Supplies <\$500	\$34,700.00	\$0.00	\$0.00	\$558.18	\$34,141.82
5000 - Capital Expenditures > \$1,500	\$3,800.00	\$0.00	\$0.00	\$0.00	\$3,800.00
1410 - Industrial Arts Total:	\$393,562.64	\$28,128.16	\$41,245.96	\$316,376.15	\$35,940.53
1412 - Family & Consumer Science					
1000 - Salaries	\$375,913.94	\$30,074.66	\$44,532.88	\$331,501.06	(\$120.00)
2000 - Employee Benefits	\$52,000.92	\$4,676.78	\$7,006.48	\$50,779.92	(\$5,785.48)
3000 - Purchased Services	\$3,500.00	\$190.94	\$190.94	\$0.00	\$3,309.06
4000 - Supplies <\$500	\$28,600.00	\$0.00	\$0.00	\$0.00	\$28,600.00
5000 - Capital Expenditures > \$1,500	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00
7000 - Equipment \$500 - \$1,500	\$3,600.00	\$0.00	\$0.00	\$0.00	\$3,600.00
1412 - Family & Consumer Science Total:	\$465,614.86	\$34,942.38	\$51,730.30	\$382,280.98	\$31,603.58
1413 - Health					

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date: 9/1/2020 To Date: 9/30/2020

Account Mask: ?????????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
1000 - Salaries	\$376,155.19	\$29,488.08	\$44,039.08	\$332,116.11	\$0.00
2000 - Employee Benefits	\$45,187.49	\$3,718.98	\$5,575.57	\$41,533.31	(\$1,921.39)
3000 - Purchased Services	\$1,930.00	\$0.00	\$0.00	\$0.00	\$1,930.00
4000 - Supplies <\$500	\$26,295.00	\$0.00	\$0.00	\$25,574.62	\$720.38
1413 - Health Total:	\$449,567.68	\$33,207.06	\$49,614.65	\$399,224.04	\$728.99
1510 - Clubs					
3000 - Purchased Services	\$7,000.00	\$0.00	\$0.00	\$0.00	\$7,000.00
4000 - Supplies <\$500	\$8,750.00	\$111.75	\$111.75	\$631.70	\$8,006.55
1510 - Clubs Total:	\$15,750.00	\$111.75	\$111.75	\$631.70	\$15,006.55
1520 - Interscholastic Athletics					
1000 - Salaries	\$81,008.85	\$0.00	\$0.00	\$0.00	\$81,008.85
3000 - Purchased Services	\$7,800.00	\$0.00	\$0.00	\$0.00	\$7,800.00
4000 - Supplies <\$500	\$4,800.00	\$0.00	\$0.00	\$0.00	\$4,800.00
6000 - Other Objects	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00
1520 - Interscholastic Athletics Total:	\$95,108.85	\$0.00	\$0.00	\$0.00	\$95,108.85
1530 - Intramurals					
1000 - Salaries	\$15,880.00	\$0.00	\$0.00	\$0.00	\$15,880.00
1530 - Intramurals Total:	\$15,880.00	\$0.00	\$0.00	\$0.00	\$15,880.00
1600 - WOW Program					
1000 - Salaries	\$24,622.56	\$0.00	\$16,822.56	\$0.00	\$7,800.00
2000 - Employee Benefits	\$704.02	\$0.00	\$704.02	\$0.00	\$0.00
3000 - Purchased Services	\$3,500.00	\$0.00	\$0.00	\$0.00	\$3,500.00
4000 - Supplies <\$500	\$8,000.00	\$0.00	\$0.00	\$0.00	\$8,000.00
1600 - WOW Program Total:	\$36,826.58	\$0.00	\$17,526.58	\$0.00	\$19,300.00
1601 - Early Start of Year Program					
1000 - Salaries	\$22,427.04	\$0.00	\$12,403.54	\$0.00	\$10,023.50
2000 - Employee Benefits	\$178.61	\$0.00	\$163.27	\$0.00	\$15.34
4000 - Supplies <\$500	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
1601 - Early Start of Year Program Total:	\$23,105.65	\$0.00	\$12,566.81	\$0.00	\$10,538.84
1650 - Channels of Challenge Program					
1000 - Salaries	\$1,427,258.41	\$116,893.82	\$176,211.43	\$1,263,750.68	(\$12,703.70)
2000 - Employee Benefits	\$192,137.91	\$15,421.34	\$21,549.67	\$150,691.89	\$19,896.35
3000 - Purchased Services	\$390.00	\$0.00	\$0.00	\$0.00	\$390.00
4000 - Supplies <\$500	\$19,050.00	\$1,170.40	\$1,170.40	\$12,544.42	\$5,335.18
6000 - Other Objects	\$265.00	\$0.00	\$0.00	\$0.00	\$265.00

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
1650 - Channels of Challenge Program Total:	\$1,639,101.32	\$133,485.56	\$198,931.50	\$1,426,986.99	\$13,182.83
1800 - Bilingual Program					
1000 - Salaries	\$778,443.29	\$61,244.67	\$88,280.28	\$692,193.04	(\$2,030.03)
2000 - Employee Benefits	\$105,362.91	\$8,836.72	\$13,004.06	\$99,654.49	(\$7,295.64)
3000 - Purchased Services	\$4,480.00	\$0.00	\$0.00	\$567.00	\$3,913.00
4000 - Supplies <\$500	\$1,400.00	\$0.00	\$0.00	\$0.00	\$1,400.00
1800 - Bilingual Program Total:	\$889,686.20	\$70,081.39	\$101,284.34	\$792,414.53	(\$4,012.67)
1912 - Private Tuition Special Ed					
6000 - Other Objects	\$350,000.00	\$14,520.70	\$52,497.07	\$0.00	\$297,502.93
1912 - Private Tuition Special Ed Total:	\$350,000.00	\$14,520.70	\$52,497.07	\$0.00	\$297,502.93
2112 - Attendance Services					
3000 - Purchased Services	\$54,825.00	\$0.00	\$54,116.72	\$0.00	\$708.28
2112 - Attendance Services Total:	\$54,825.00	\$0.00	\$54,116.72	\$0.00	\$708.28
2113 - Social Work					
1000 - Salaries	\$995,418.16	\$76,700.24	\$112,365.78	\$821,252.72	\$61,799.66
2000 - Employee Benefits	\$136,155.12	\$10,312.74	\$15,428.84	\$99,903.64	\$20,822.64
3000 - Purchased Services	\$3,600.00	\$0.00	\$0.00	\$0.00	\$3,600.00
4000 - Supplies <\$500	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00
2113 - Social Work Total:	\$1,135,473.28	\$87,012.98	\$127,794.62	\$921,156.36	\$86,522.30
2120 - Guidance Services					
1000 - Salaries	\$194,918.39	\$14,993.72	\$22,490.58	\$172,427.81	\$0.00
2000 - Employee Benefits	\$10,331.88	\$794.76	\$1,192.14	\$9,139.74	\$0.00
2120 - Guidance Services Total:	\$205,250.27	\$15,788.48	\$23,682.72	\$181,567.55	\$0.00
2130 - Health Services					
1000 - Salaries	\$530,561.05	\$46,302.54	\$68,733.37	\$444,277.08	\$17,550.60
2000 - Employee Benefits	\$101,471.68	\$8,981.72	\$12,989.43	\$92,604.06	(\$4,121.81)
3000 - Purchased Services	\$12,550.00	\$0.00	\$8,580.00	\$0.00	\$3,970.00
4000 - Supplies <\$500	\$16,000.00	\$5,133.67	\$12,509.53	\$5,542.07	(\$2,051.60)
5000 - Capital Expenditures > \$1,500	\$0.00	\$0.00	\$0.00	\$7,971.39	(\$7,971.39)
7000 - Equipment \$500 - \$1,500	\$6,000.00	\$0.00	\$0.00	\$0.00	\$6,000.00
2130 - Health Services Total:	\$666,582.73	\$60,417.93	\$102,812.33	\$550,394.60	\$13,375.80
2131 - OT/PT Services					
1000 - Salaries	\$573,582.31	\$43,922.76	\$64,710.45	\$509,995.42	(\$1,123.56)
2000 - Employee Benefits	\$64,146.68	\$5,249.30	\$7,716.48	\$60,366.95	(\$3,936.75)
3000 - Purchased Services	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
4000 - Supplies <\$500	\$4,500.00	\$0.00	\$0.00	\$1,211.85	\$3,288.15
6000 - Other Objects	\$400.00	\$0.00	\$0.00	\$0.00	\$400.00
2131 - OT/PT Services Total:	\$643,128.99	\$49,172.06	\$72,426.93	\$571,574.22	(\$872.16)
2132 - Assistive Tech					
1000 - Salaries	\$72,085.08	\$5,545.00	\$8,317.50	\$63,767.58	\$0.00
2000 - Employee Benefits	\$11,402.30	\$877.10	\$1,315.65	\$10,086.65	\$0.00
3000 - Purchased Services	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00
4000 - Supplies <\$500	\$6,500.00	\$0.00	\$0.00	\$0.00	\$6,500.00
2132 - Assistive Tech Total:	\$92,487.38	\$6,422.10	\$9,633.15	\$73,854.23	\$9,000.00
2140 - Psychological Services					
1000 - Salaries	\$630,525.19	\$50,449.10	\$73,751.99	\$533,975.20	\$22,798.00
2000 - Employee Benefits	\$41,278.58	\$3,234.55	\$4,823.02	\$36,504.67	(\$49.11)
3000 - Purchased Services	\$500.00	\$126.00	\$538.50	\$14,643.20	(\$14,681.70)
4000 - Supplies <\$500	\$17,500.00	\$763.85	\$763.85	\$1,111.34	\$15,624.81
6000 - Other Objects	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
2140 - Psychological Services Total:	\$690,303.77	\$54,573.50	\$79,877.36	\$586,234.41	\$24,192.00
2150 - Speech & Hearing Services					
1000 - Salaries	\$1,434,593.27	\$115,793.13	\$170,961.26	\$1,224,592.87	\$39,039.14
2000 - Employee Benefits	\$219,864.38	\$17,972.55	\$26,438.40	\$196,913.87	(\$3,487.89)
3000 - Purchased Services	\$3,000.00	\$98.00	\$98.00	\$0.00	\$2,902.00
4000 - Supplies <\$500	\$1,500.00	\$0.00	\$0.00	\$641.40	\$858.60
2150 - Speech & Hearing Services Total:	\$1,658,957.65	\$133,863.68	\$197,497.66	\$1,422,148.14	\$39,311.85
2190 - Other Support Services					
3000 - Purchased Services	\$32,200.00	\$0.00	\$4,337.50	\$0.00	\$27,862.50
4000 - Supplies <\$500	\$10,700.00	\$0.00	\$12,342.56	\$0.00	(\$1,642.56)
2190 - Other Support Services Total:	\$42,900.00	\$0.00	\$16,680.06	\$0.00	\$26,219.94
2191 - Lunchroom Supervision					
1000 - Salaries	\$1,798.50	\$0.00	\$1,798.50	\$0.00	\$0.00
2000 - Employee Benefits	\$26.98	\$0.00	\$26.98	\$0.00	\$0.00
4000 - Supplies <\$500	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00
2191 - Lunchroom Supervision Total:	\$3,825.48	\$0.00	\$1,825.48	\$0.00	\$2,000.00
2210 - Improvement of Instruction					
1000 - Salaries	\$588,222.46	\$31,927.60	\$119,106.42	\$264,536.21	\$204,579.83
2000 - Employee Benefits	\$75,425.31	\$9,560.32	\$27,087.06	\$94,787.12	(\$46,448.87)
3000 - Purchased Services	\$202,199.00	\$8,022.89	\$16,316.29	\$4,599.00	\$181,283.71

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
4000 - Supplies <\$500	\$0.00	\$140.97	\$1,286.56	\$1,629.80	(\$2,916.36)
2210 - Improvement of Instruction Total:	\$865,846.77	\$49,651.78	\$163,796.33	\$365,552.13	\$336,498.31
2212 - QIT					
1000 - Salaries	\$15,662.00	\$0.00	\$0.00	\$0.00	\$15,662.00
3000 - Purchased Services	\$800.00	\$0.00	\$0.00	\$0.00	\$800.00
4000 - Supplies <\$500	\$4,646.00	\$494.00	\$494.00	\$0.00	\$4,152.00
2212 - QIT Total:	\$21,108.00	\$494.00	\$494.00	\$0.00	\$20,614.00
2222 - Learning Resource Center					
1000 - Salaries	\$882,358.71	\$65,020.40	\$98,211.39	\$739,089.61	\$45,057.71
2000 - Employee Benefits	\$211,690.37	\$12,824.94	\$19,542.34	\$147,381.48	\$44,766.55
3000 - Purchased Services	\$87,071.70	\$5,550.00	\$71,321.76	\$11,125.62	\$4,624.32
4000 - Supplies <\$500	\$102,192.00	\$2,959.11	\$3,683.20	\$19,211.45	\$79,297.35
6000 - Other Objects	\$400.00	\$0.00	\$0.00	\$0.00	\$400.00
2222 - Learning Resource Center Total:	\$1,283,712.78	\$86,354.45	\$192,758.69	\$916,808.16	\$174,145.93
2225 - Comp. Assist. Instruct. Serv.					
1000 - Salaries	\$1,312,251.92	\$120,754.21	\$247,995.40	\$1,085,822.45	(\$21,565.93)
2000 - Employee Benefits	\$196,466.42	\$22,031.30	\$44,709.49	\$213,871.12	(\$62,114.19)
3000 - Purchased Services	\$259,620.00	\$1,887.00	\$135,392.94	\$25,933.65	\$98,293.41
4000 - Supplies <\$500	\$1,332,000.00	\$65,527.02	\$916,604.01	\$55,031.82	\$360,364.17
5000 - Capital Expenditures > \$1,500	\$180,000.00	\$52,105.90	\$143,948.54	\$48,844.82	(\$12,793.36)
6000 - Other Objects	\$5,000.00	\$0.00	\$965.00	\$0.00	\$4,035.00
7000 - Equipment \$500 - \$1,500	\$0.00	\$169,596.02	\$184,776.02	\$0.00	(\$184,776.02)
2225 - Comp. Assist. Instruct. Serv. Total:	\$3,285,338.34	\$431,901.45	\$1,674,391.40	\$1,429,503.86	\$181,443.08
2230 - Assessment & Testing					
3000 - Purchased Services	\$95,755.00	\$5,975.50	\$32,732.75	\$43,775.00	\$19,247.25
2230 - Assessment & Testing Total:	\$95,755.00	\$5,975.50	\$32,732.75	\$43,775.00	\$19,247.25
2310 - Board of Education					
2000 - Employee Benefits	\$180,000.00	\$12,885.53	\$46,250.59	\$0.00	\$133,749.41
3000 - Purchased Services	\$506,000.00	\$46,806.53	\$98,576.73	\$0.00	\$407,423.27
4000 - Supplies <\$500	\$12,250.00	\$0.00	\$854.85	\$0.00	\$11,395.15
6000 - Other Objects	\$13,500.00	\$150.00	\$13,594.00	\$0.00	(\$94.00)
2310 - Board of Education Total:	\$711,750.00	\$59,842.06	\$159,276.17	\$0.00	\$552,473.83
2320 - Office of the Superintendent					
1000 - Salaries	\$275,514.83	\$21,193.44	\$63,580.33	\$211,934.50	\$0.00
2000 - Employee Benefits	\$61,863.49	\$5,827.36	\$16,333.35	\$58,273.58	(\$12,743.44)

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
3000 - Purchased Services	\$10,820.00	\$12.65	\$460.65	\$0.00	\$10,359.35
4000 - Supplies <\$500	\$7,500.00	\$0.00	\$11.98	\$0.00	\$7,488.02
6000 - Other Objects	\$0.00	\$610.00	\$610.00	\$0.00	(\$610.00)
2320 - Office of the Superintendent Total:	\$355,698.32	\$27,643.45	\$80,996.31	\$270,208.08	\$4,493.93
2330 - Special Area Administration					
1000 - Salaries	\$667,741.58	\$52,075.78	\$121,055.26	\$552,848.82	(\$6,162.50)
2000 - Employee Benefits	\$196,751.92	\$22,287.32	\$48,811.93	\$235,237.42	(\$87,297.43)
3000 - Purchased Services	\$2,860.00	\$0.00	\$0.00	\$0.00	\$2,860.00
4000 - Supplies <\$500	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
2330 - Special Area Administration Total:	\$868,353.50	\$74,363.10	\$169,867.19	\$788,086.24	(\$89,599.93)
2410 - Office of the Principal					
1000 - Salaries	\$2,332,774.03	\$189,296.50	\$454,824.41	\$1,896,140.17	(\$18,190.55)
2000 - Employee Benefits	\$595,535.78	\$82,074.64	\$188,886.92	\$846,040.09	(\$439,391.23)
3000 - Purchased Services	\$68,150.00	\$975.00	\$2,641.25	\$0.00	\$65,508.75
4000 - Supplies <\$500	\$14,200.00	\$0.00	\$622.40	\$906.56	\$12,671.04
2410 - Office of the Principal Total:	\$3,010,659.81	\$272,346.14	\$646,974.98	\$2,743,086.82	(\$379,401.99)
2510 - Direction of Business Support					
1000 - Salaries	\$190,753.88	\$14,673.38	\$44,020.14	\$146,733.74	\$0.00
2000 - Employee Benefits	\$58,670.30	\$7,689.18	\$19,794.79	\$76,891.79	(\$38,016.28)
3000 - Purchased Services	\$5,913.00	\$0.00	\$580.00	\$0.00	\$5,333.00
2510 - Direction of Business Support Total:	\$255,337.18	\$22,362.56	\$64,394.93	\$223,625.53	(\$32,683.28)
2520 - Fiscal Services					
1000 - Salaries	\$423,452.52	\$32,521.28	\$98,239.88	\$298,925.56	\$26,287.08
2000 - Employee Benefits	\$59,014.02	\$4,539.56	\$13,363.32	\$45,364.10	\$286.60
3000 - Purchased Services	\$179,650.00	\$10,371.85	\$43,104.35	\$6,130.00	\$130,415.65
4000 - Supplies <\$500	\$12,000.00	\$161.19	\$353.79	\$176.53	\$11,469.68
6000 - Other Objects	\$110,000.00	\$3,560.77	\$9,439.09	\$0.00	\$100,560.91
2520 - Fiscal Services Total:	\$784,116.54	\$51,154.65	\$164,500.43	\$350,596.19	\$269,019.92
2542 - Care & Upkeep of Buildings					
5000 - Capital Expenditures > \$1,500	\$0.00	\$0.00	\$0.00	\$4,772.40	(\$4,772.40)
2542 - Care & Upkeep of Buildings Total:	\$0.00	\$0.00	\$0.00	\$4,772.40	(\$4,772.40)
2546 - Security Services					
1000 - Salaries	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00
2546 - Security Services Total:	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00
2560 - Food Service					

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
3000 - Purchased Services	\$1,217,500.00	\$962.56	\$89,998.62	\$450.00	\$1,127,051.38
4000 - Supplies <\$500	\$3,500.00	\$0.00	\$0.00	\$0.00	\$3,500.00
5000 - Capital Expenditures > \$1,500	\$15,000.00	\$0.00	\$0.00	\$0.00	\$15,000.00
7000 - Equipment \$500 - \$1,500	\$7,500.00	\$0.00	\$0.00	\$0.00	\$7,500.00
2560 - Food Service Total:	\$1,243,500.00	\$962.56	\$89,998.62	\$450.00	\$1,153,051.38
2633 - Information Services					
1000 - Salaries	\$68,942.92	\$5,303.30	\$15,909.90	\$53,033.02	\$0.00
2000 - Employee Benefits	\$15,815.02	\$1,216.54	\$3,647.74	\$12,165.40	\$1.88
3000 - Purchased Services	\$288,294.00	\$12,946.33	\$45,833.93	\$22,076.00	\$220,384.07
4000 - Supplies <\$500	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00
2633 - Information Services Total:	\$378,051.94	\$19,466.17	\$65,391.57	\$87,274.42	\$225,385.95
2640 - Human Resources					
1000 - Salaries	\$418,450.57	\$28,279.08	\$77,195.38	\$345,448.20	(\$4,193.01)
2000 - Employee Benefits	\$72,459.14	\$8,834.27	\$24,104.99	\$94,060.71	(\$45,706.56)
3000 - Purchased Services	\$188,160.00	\$15,792.21	\$62,710.16	\$0.00	\$125,449.84
4000 - Supplies <\$500	\$2,000.00	\$0.00	\$0.00	\$202.70	\$1,797.30
6000 - Other Objects	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00
8000 - Undesignated	\$255,548.25	\$81,827.50	\$218,375.75	\$20,615.00	\$16,557.50
2640 - Human Resources Total:	\$936,917.96	\$134,733.06	\$382,386.28	\$460,326.61	\$94,205.07
2660 - Data Processing Services					
3000 - Purchased Services	\$176,655.00	\$17,806.23	\$43,781.52	\$0.00	\$132,873.48
4000 - Supplies <\$500	\$90,000.00	\$0.00	\$490.00	\$0.00	\$89,510.00
5000 - Capital Expenditures > \$1,500	\$25,000.00	\$0.00	\$0.00	\$0.00	\$25,000.00
2660 - Data Processing Services Total:	\$291,655.00	\$17,806.23	\$44,271.52	\$0.00	\$247,383.48
3500 - Extended Day Kindergarten					
1000 - Salaries	\$185,629.83	\$4,127.26	\$6,190.89	\$43,085.10	\$136,353.84
2000 - Employee Benefits	\$59,642.00	\$3,430.96	\$5,146.44	\$35,739.16	\$18,756.40
4000 - Supplies <\$500	\$20,000.00	\$0.00	\$1,938.96	\$0.00	\$18,061.04
3500 - Extended Day Kindergarten Total:	\$265,271.83	\$7,558.22	\$13,276.29	\$78,824.26	\$173,171.28
3600 - Community Services					
1000 - Salaries	\$0.00	\$63.94	\$63.94	\$0.00	(\$63.94)
3600 - Community Services Total:	\$0.00	\$63.94	\$63.94	\$0.00	(\$63.94)
3700 - Parochial/Private Services					
1000 - Salaries	\$224,809.51	\$12,057.80	\$20,704.32	\$194,355.16	\$9,750.03
2000 - Employee Benefits	\$34,496.19	\$1,621.24	\$2,748.58	\$25,904.11	\$5,843.50

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????

Account Type: Expenditure

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
3000 - Purchased Services	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
4000 - Supplies <\$500	\$0.00	\$15,897.00	\$15,897.00	\$11,645.00	(\$27,542.00)
3700 - Parochial/Private Services Total:	\$259,805.70	\$29,576.04	\$39,349.90	\$231,904.27	(\$11,448.47)
4120 - Sp. Ed. Services					
3000 - Purchased Services	\$10,000.00	\$0.00	\$7,300.00	\$0.00	\$2,700.00
4120 - Sp. Ed. Services Total:	\$10,000.00	\$0.00	\$7,300.00	\$0.00	\$2,700.00
4220 - SpEd Tuition-Other Governments					
6000 - Other Objects	\$1,141,601.00	\$29,347.69	\$820,899.79	\$0.00	\$320,701.21
4220 - SpEd Tuition-Other Governments Total:	\$1,141,601.00	\$29,347.69	\$820,899.79	\$0.00	\$320,701.21
6000 - Contingency					
6000 - Other Objects	\$400,000.00	\$0.00	\$0.00	\$0.00	\$400,000.00
6000 - Contingency Total:	\$400,000.00	\$0.00	\$0.00	\$0.00	\$400,000.00
10 - Education Fund Total:	\$65,434,455.70	\$5,097,462.96	\$10,589,825.44	\$48,255,606.66	\$6,589,023.60

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date: 9/1/2020 To Date: 9/30/2020

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FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
20 - Operations & Maintenance Fund					
0000 - Undesignated					
2533 - Construction Services					
3000 - Purchased Services	\$0.00	\$10,600.00	\$33,000.00	\$0.00	(\$33,000.00)
 2533 - Construction Services Total:					
	\$0.00	\$10,600.00	\$33,000.00	\$0.00	(\$33,000.00)
2536 - Facility Improvements					
4000 - Supplies <\$500	\$0.00	\$0.00	\$31,699.12	\$10,082.83	(\$41,781.95)
 2536 - Facility Improvements Total:					
	\$0.00	\$0.00	\$31,699.12	\$10,082.83	(\$41,781.95)
2541 - O&M Service Area Direction					
1000 - Salaries	\$218,312.20	\$12,947.10	\$38,841.30	\$129,470.90	\$50,000.00
2000 - Employee Benefits	\$16,195.40	\$1,245.80	\$3,651.94	\$12,458.00	\$85.46
3000 - Purchased Services	\$3,500.00	\$0.00	\$1,170.00	\$0.00	\$2,330.00
4000 - Supplies <\$500	\$16,000.00	\$0.00	\$0.00	\$2,166.00	\$13,834.00
 2541 - O&M Service Area Direction Total:					
	\$254,007.60	\$14,192.90	\$43,663.24	\$144,094.90	\$66,249.46
2542 - Care & Upkeep of Buildings					
1000 - Salaries	\$2,267,691.48	\$174,140.87	\$548,781.43	\$1,840,112.94	(\$121,202.89)
2000 - Employee Benefits	\$408,485.74	\$31,316.00	\$93,142.74	\$314,852.02	\$490.98
3000 - Purchased Services	\$1,153,520.00	\$47,189.50	\$219,785.29	\$49,584.36	\$884,150.35
4000 - Supplies <\$500	\$1,560,000.00	\$199,740.12	\$406,533.43	\$149,663.36	\$1,003,803.21
5000 - Capital Expenditures > \$1,500	\$200,000.00	\$0.00	\$0.00	\$9,990.00	\$190,010.00
7000 - Equipment \$500 - \$1,500	\$40,000.00	\$22,269.64	\$43,335.54	\$13,485.60	(\$16,821.14)
 2542 - Care & Upkeep of Buildings Total:					
	\$5,629,697.22	\$474,656.13	\$1,311,578.43	\$2,377,688.28	\$1,940,430.51
2543 - Care & Upkeep of Grounds					
1000 - Salaries	\$119,695.83	\$9,207.38	\$27,622.14	\$92,073.69	\$0.00
2000 - Employee Benefits	\$21,374.08	\$1,644.18	\$4,818.48	\$16,441.80	\$113.80
3000 - Purchased Services	\$140,820.00	\$327.45	\$4,947.46	\$0.00	\$135,872.54
4000 - Supplies <\$500	\$100,000.00	\$17,687.96	\$23,294.98	\$12,263.88	\$64,441.14
5000 - Capital Expenditures > \$1,500	\$15,000.00	\$0.00	\$0.00	\$0.00	\$15,000.00
 2543 - Care & Upkeep of Grounds Total:					
	\$396,889.91	\$28,866.97	\$60,683.06	\$120,779.37	\$215,427.48
2545 - Care & Upkeep of Vehicles					
3000 - Purchased Services	\$8,500.00	\$0.00	\$34.99	\$0.00	\$8,465.01
4000 - Supplies <\$500	\$45,000.00	\$672.07	\$1,609.63	\$0.00	\$43,390.37
7000 - Equipment \$500 - \$1,500	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00
 2545 - Care & Upkeep of Vehicles Total:					
	\$56,000.00	\$672.07	\$1,644.62	\$0.00	\$54,355.38
2546 - Security Services					

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

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Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
3000 - Purchased Services	\$92,100.00	\$13,569.00	\$32,904.62	\$0.00	\$59,195.38
4000 - Supplies <\$500	\$15,000.00	\$915.51	\$915.51	\$149.98	\$13,934.51
5000 - Capital Expenditures > \$1,500	\$50,000.00	\$0.00	\$0.00	\$0.00	\$50,000.00
2546 - Security Services Total:	\$157,100.00	\$14,484.51	\$33,820.13	\$149.98	\$123,129.89
2547 - Warehouse Services					
1000 - Salaries	\$44,904.72	\$3,454.20	\$10,362.60	\$34,542.12	\$0.00
2000 - Employee Benefits	\$20,442.76	\$1,572.52	\$4,607.54	\$15,725.20	\$110.02
2547 - Warehouse Services Total:	\$65,347.48	\$5,026.72	\$14,970.14	\$50,267.32	\$110.02
20 - Operations & Maintenance Fund Total:	\$6,559,042.21	\$548,499.30	\$1,531,058.74	\$2,703,062.68	\$2,324,920.79

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

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Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
30 - Debt Services Fund					
0000 - Undesignated					
5200 - Interest on Debt					
6000 - Other Objects	\$335,525.00	\$0.00	\$0.00	\$0.00	\$335,525.00
 5200 - Interest on Debt Total:	\$335,525.00	\$0.00	\$0.00	\$0.00	\$335,525.00
5270 - Capital Lease Interest					
6000 - Other Objects	\$5,907.65	\$327.79	\$983.37	\$0.00	\$4,924.28
 5270 - Capital Lease Interest Total:	\$5,907.65	\$327.79	\$983.37	\$0.00	\$4,924.28
5300 - Principal - Long-term Debt					
6000 - Other Objects	\$2,565,000.00	\$0.00	\$0.00	\$0.00	\$2,565,000.00
 5300 - Principal - Long-term Debt Total:	\$2,565,000.00	\$0.00	\$0.00	\$0.00	\$2,565,000.00
5370 - Capital Lease Principal					
6000 - Other Objects	\$171,499.24	\$14,605.55	\$39,668.07	\$0.00	\$131,831.17
 5370 - Capital Lease Principal Total:	\$171,499.24	\$14,605.55	\$39,668.07	\$0.00	\$131,831.17
5400 - Debt Service Other					
6000 - Other Objects	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
 5400 - Debt Service Other Total:	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00
 30 - Debt Services Fund Total:	\$3,080,931.89	\$14,933.34	\$40,651.44	\$0.00	\$3,040,280.45

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
40 - Transportation Fund					
0000 - Undesignated					
2550 - Transportation Services					
1000 - Salaries	\$21,245.85	\$1,634.30	\$4,902.90	\$16,342.95	\$0.00
2000 - Employee Benefits	\$22.88	\$1.76	\$5.28	\$17.60	\$0.00
3000 - Purchased Services	\$3,395,010.00	\$0.00	\$0.00	\$0.00	\$3,395,010.00
2550 - Transportation Services Total:	\$3,416,278.73	\$1,636.06	\$4,908.18	\$16,360.55	\$3,395,010.00
3700 - Parochial/Private Services					
3000 - Purchased Services	\$135,000.00	\$0.00	\$0.00	\$0.00	\$135,000.00
3700 - Parochial/Private Services Total:	\$135,000.00	\$0.00	\$0.00	\$0.00	\$135,000.00
4120 - Sp. Ed. Services					
3000 - Purchased Services	\$25,000.00	\$1,848.00	\$1,848.00	\$0.00	\$23,152.00
4120 - Sp. Ed. Services Total:	\$25,000.00	\$1,848.00	\$1,848.00	\$0.00	\$23,152.00
40 - Transportation Fund Total:	\$3,576,278.73	\$3,484.06	\$6,756.18	\$16,360.55	\$3,553,162.00

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
50 - Municipal Retirement Fund					
0000 - Undesignated					
1110 - Elementary Education					
2000 - Employee Benefits	\$9,630.91	\$326.00	\$482.20	\$3,696.80	\$5,451.91
1110 - Elementary Education Total:	\$9,630.91	\$326.00	\$482.20	\$3,696.80	\$5,451.91
1120 - Middle School Education					
2000 - Employee Benefits	\$0.00	\$13.16	\$13.16	\$302.70	(\$315.86)
1120 - Middle School Education Total:	\$0.00	\$13.16	\$13.16	\$302.70	(\$315.86)
1200 - Special Education					
2000 - Employee Benefits	\$259,287.50	\$18,961.95	\$26,249.31	\$195,660.29	\$37,377.90
1200 - Special Education Total:	\$259,287.50	\$18,961.95	\$26,249.31	\$195,660.29	\$37,377.90
1225 - Pre-K Special Education					
2000 - Employee Benefits	\$37,077.94	\$2,032.20	\$2,942.40	\$22,027.47	\$12,108.07
1225 - Pre-K Special Education Total:	\$37,077.94	\$2,032.20	\$2,942.40	\$22,027.47	\$12,108.07
1600 - WOW Program					
2000 - Employee Benefits	\$213.92	\$0.00	\$213.92	\$0.00	\$0.00
1600 - WOW Program Total:	\$213.92	\$0.00	\$213.92	\$0.00	\$0.00
1601 - Early Start of Year Program					
2000 - Employee Benefits	\$188.99	\$0.00	\$188.99	\$0.00	\$0.00
1601 - Early Start of Year Program Total:	\$188.99	\$0.00	\$188.99	\$0.00	\$0.00
1650 - Channels of Challenge Program					
2000 - Employee Benefits	\$43.51	\$155.01	\$198.52	\$81.87	(\$236.88)
1650 - Channels of Challenge Program Total:	\$43.51	\$155.01	\$198.52	\$81.87	(\$236.88)
2130 - Health Services					
2000 - Employee Benefits	\$42,085.53	\$3,919.85	\$5,577.90	\$38,193.41	(\$1,685.78)
2130 - Health Services Total:	\$42,085.53	\$3,919.85	\$5,577.90	\$38,193.41	(\$1,685.78)
2131 - OT/PT Services					
2000 - Employee Benefits	\$67,235.96	\$5,463.99	\$8,049.99	\$63,443.47	(\$4,257.50)
2131 - OT/PT Services Total:	\$67,235.96	\$5,463.99	\$8,049.99	\$63,443.47	(\$4,257.50)
2140 - Psychological Services					
2000 - Employee Benefits	\$7,485.91	\$575.84	\$863.76	\$6,622.15	\$0.00
2140 - Psychological Services Total:	\$7,485.91	\$575.84	\$863.76	\$6,622.15	\$0.00
2210 - Improvement of Instruction					
2000 - Employee Benefits	\$18,773.20	\$1,453.26	\$4,665.25	\$14,541.19	(\$433.24)
2210 - Improvement of Instruction Total:	\$18,773.20	\$1,453.26	\$4,665.25	\$14,541.19	(\$433.24)

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date: 9/1/2020 To Date: 9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
2222 - Learning Resource Center					
2000 - Employee Benefits	\$25,384.16	\$1,316.56	\$2,059.53	\$14,057.50	\$9,267.13
2222 - Learning Resource Center Total:	\$25,384.16	\$1,316.56	\$2,059.53	\$14,057.50	\$9,267.13
2225 - Comp. Assist. Instruct. Serv.					
2000 - Employee Benefits	\$77,717.74	\$6,771.84	\$17,187.79	\$66,587.47	(\$6,057.52)
2225 - Comp. Assist. Instruct. Serv. Total:	\$77,717.74	\$6,771.84	\$17,187.79	\$66,587.47	(\$6,057.52)
2320 - Office of the Superintendent					
2000 - Employee Benefits	\$7,681.70	\$608.04	\$1,824.12	\$6,080.41	(\$222.83)
2320 - Office of the Superintendent Total:	\$7,681.70	\$608.04	\$1,824.12	\$6,080.41	(\$222.83)
2330 - Special Area Administration					
2000 - Employee Benefits	\$14,329.63	\$1,102.40	\$3,307.22	\$11,024.00	(\$1.59)
2330 - Special Area Administration Total:	\$14,329.63	\$1,102.40	\$3,307.22	\$11,024.00	(\$1.59)
2410 - Office of the Principal					
2000 - Employee Benefits	\$58,900.60	\$5,980.06	\$9,837.03	\$56,058.71	(\$6,995.14)
2410 - Office of the Principal Total:	\$58,900.60	\$5,980.06	\$9,837.03	\$56,058.71	(\$6,995.14)
2520 - Fiscal Services					
2000 - Employee Benefits	\$51,565.26	\$4,045.66	\$12,221.09	\$37,186.40	\$2,157.77
2520 - Fiscal Services Total:	\$51,565.26	\$4,045.66	\$12,221.09	\$37,186.40	\$2,157.77
2541 - O&M Service Area Direction					
2000 - Employee Benefits	\$20,385.05	\$1,610.60	\$4,831.81	\$16,105.99	(\$552.75)
2541 - O&M Service Area Direction Total:	\$20,385.05	\$1,610.60	\$4,831.81	\$16,105.99	(\$552.75)
2542 - Care & Upkeep of Buildings					
2000 - Employee Benefits	\$287,634.93	\$21,809.31	\$64,012.66	\$213,479.62	\$10,142.65
2542 - Care & Upkeep of Buildings Total:	\$287,634.93	\$21,809.31	\$64,012.66	\$213,479.62	\$10,142.65
2543 - Care & Upkeep of Grounds					
2000 - Employee Benefits	\$14,527.48	\$1,145.40	\$3,436.19	\$11,453.99	(\$362.70)
2543 - Care & Upkeep of Grounds Total:	\$14,527.48	\$1,145.40	\$3,436.19	\$11,453.99	(\$362.70)
2547 - Warehouse Services					
2000 - Employee Benefits	\$5,607.15	\$429.70	\$1,289.11	\$4,297.02	\$21.02
2547 - Warehouse Services Total:	\$5,607.15	\$429.70	\$1,289.11	\$4,297.02	\$21.02
2550 - Transportation Services					
2000 - Employee Benefits	\$2,642.65	\$203.32	\$609.95	\$2,033.19	(\$0.49)
2550 - Transportation Services Total:	\$2,642.65	\$203.32	\$609.95	\$2,033.19	(\$0.49)
2633 - Information Services					

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
2000 - Employee Benefits	\$8,334.83	\$659.74	\$1,979.21	\$6,597.40	(\$241.78)
2633 - Information Services Total:	\$8,334.83	\$659.74	\$1,979.21	\$6,597.40	(\$241.78)
2640 - Human Resources					
2000 - Employee Benefits	\$17,168.81	\$1,328.26	\$4,221.65	\$13,377.42	(\$430.26)
2640 - Human Resources Total:	\$17,168.81	\$1,328.26	\$4,221.65	\$13,377.42	(\$430.26)
3500 - Extended Day Kindergarten					
2000 - Employee Benefits	\$11,077.32	\$513.42	\$770.13	\$5,359.67	\$4,947.52
3500 - Extended Day Kindergarten Total:	\$11,077.32	\$513.42	\$770.13	\$5,359.67	\$4,947.52
50 - Municipal Retirement Fund Total:	\$1,044,980.68	\$80,425.57	\$177,032.89	\$808,268.14	\$59,679.65

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
51 - Social Security/Medicare Fund					
0000 - Undesignated					
1110 - Elementary Education					
2000 - Employee Benefits	\$364,451.44	\$12,203.11	\$18,257.45	\$136,761.33	\$209,432.66
1110 - Elementary Education Total:	\$364,451.44	\$12,203.11	\$18,257.45	\$136,761.33	\$209,432.66
1111 - Response to Intervention					
2000 - Employee Benefits	\$40,082.31	\$2,953.93	\$4,454.79	\$33,871.56	\$1,755.96
1111 - Response to Intervention Total:	\$40,082.31	\$2,953.93	\$4,454.79	\$33,871.56	\$1,755.96
1112 - General Music					
2000 - Employee Benefits	\$14,457.20	\$1,109.05	\$1,662.56	\$12,583.62	\$211.02
1112 - General Music Total:	\$14,457.20	\$1,109.05	\$1,662.56	\$12,583.62	\$211.02
1113 - Art Program					
2000 - Employee Benefits	\$14,141.74	\$1,131.19	\$1,722.21	\$13,023.97	(\$604.44)
1113 - Art Program Total:	\$14,141.74	\$1,131.19	\$1,722.21	\$13,023.97	(\$604.44)
1114 - Instrumental Music					
2000 - Employee Benefits	\$7,511.91	\$599.19	\$893.32	\$6,760.51	(\$141.92)
1114 - Instrumental Music Total:	\$7,511.91	\$599.19	\$893.32	\$6,760.51	(\$141.92)
1116 - Physical Education Program					
2000 - Employee Benefits	\$31,827.21	\$2,506.89	\$3,720.92	\$27,977.22	\$129.07
1116 - Physical Education Program Total:	\$31,827.21	\$2,506.89	\$3,720.92	\$27,977.22	\$129.07
1119 - Foreign Language					
2000 - Employee Benefits	\$16,093.03	\$1,297.83	\$1,905.00	\$14,618.17	(\$430.14)
1119 - Foreign Language Total:	\$16,093.03	\$1,297.83	\$1,905.00	\$14,618.17	(\$430.14)
1120 - Middle School Education					
2000 - Employee Benefits	\$82,670.13	\$6,260.34	\$9,239.99	\$70,822.32	\$2,607.82
1120 - Middle School Education Total:	\$82,670.13	\$6,260.34	\$9,239.99	\$70,822.32	\$2,607.82
1130 - Reg. Ed. Curriculum Specialist					
2000 - Employee Benefits	\$4,877.78	\$399.10	\$590.48	\$4,434.48	(\$147.18)
1130 - Reg. Ed. Curriculum Specialist Total:	\$4,877.78	\$399.10	\$590.48	\$4,434.48	(\$147.18)
1200 - Special Education					
2000 - Employee Benefits	\$194,167.98	\$14,340.66	\$20,122.97	\$149,842.13	\$24,202.88
1200 - Special Education Total:	\$194,167.98	\$14,340.66	\$20,122.97	\$149,842.13	\$24,202.88
1225 - Pre-K Special Education					
2000 - Employee Benefits	\$27,489.71	\$1,547.85	\$2,276.22	\$17,022.14	\$8,191.35
1225 - Pre-K Special Education Total:	\$27,489.71	\$1,547.85	\$2,276.22	\$17,022.14	\$8,191.35

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date: 9/1/2020 To Date: 9/30/2020

Account Mask: ?????????????????????????????????

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Print accounts with zero balance
 Include Inactive Accounts
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FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
1250 - Remedial Programs					
2000 - Employee Benefits	\$1,410.04	\$0.00	\$0.00	\$0.00	\$1,410.04
1250 - Remedial Programs Total:	\$1,410.04	\$0.00	\$0.00	\$0.00	\$1,410.04
1410 - Industrial Arts					
2000 - Employee Benefits	\$4,155.41	\$311.33	\$476.03	\$3,668.91	\$10.47
1410 - Industrial Arts Total:	\$4,155.41	\$311.33	\$476.03	\$3,668.91	\$10.47
1412 - Family & Consumer Science					
2000 - Employee Benefits	\$6,329.35	\$412.60	\$610.69	\$4,547.63	\$1,171.03
1412 - Family & Consumer Science Total:	\$6,329.35	\$412.60	\$610.69	\$4,547.63	\$1,171.03
1413 - Health					
2000 - Employee Benefits	\$5,634.14	\$411.18	\$614.09	\$4,629.84	\$390.21
1413 - Health Total:	\$5,634.14	\$411.18	\$614.09	\$4,629.84	\$390.21
1600 - WOW Program					
2000 - Employee Benefits	\$350.50	\$0.00	\$350.50	\$0.00	\$0.00
1600 - WOW Program Total:	\$350.50	\$0.00	\$350.50	\$0.00	\$0.00
1601 - Early Start of Year Program					
2000 - Employee Benefits	\$288.89	\$0.00	\$274.05	\$0.00	\$14.84
1601 - Early Start of Year Program Total:	\$288.89	\$0.00	\$274.05	\$0.00	\$14.84
1650 - Channels of Challenge Program					
2000 - Employee Benefits	\$23,109.92	\$1,712.95	\$2,572.74	\$17,754.53	\$2,782.65
1650 - Channels of Challenge Program Total:	\$23,109.92	\$1,712.95	\$2,572.74	\$17,754.53	\$2,782.65
1800 - Bilingual Program					
2000 - Employee Benefits	\$10,265.35	\$857.28	\$1,231.20	\$9,648.04	(\$613.89)
1800 - Bilingual Program Total:	\$10,265.35	\$857.28	\$1,231.20	\$9,648.04	(\$613.89)
2113 - Social Work					
2000 - Employee Benefits	\$14,005.69	\$1,066.82	\$1,561.15	\$11,462.19	\$982.35
2113 - Social Work Total:	\$14,005.69	\$1,066.82	\$1,561.15	\$11,462.19	\$982.35
2120 - Guidance Services					
2000 - Employee Benefits	\$2,822.04	\$217.07	\$325.61	\$2,496.19	\$0.24
2120 - Guidance Services Total:	\$2,822.04	\$217.07	\$325.61	\$2,496.19	\$0.24
2130 - Health Services					
2000 - Employee Benefits	\$25,500.36	\$2,415.18	\$3,457.86	\$23,087.25	(\$1,044.75)
2130 - Health Services Total:	\$25,500.36	\$2,415.18	\$3,457.86	\$23,087.25	(\$1,044.75)
2131 - OT/PT Services					

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date: 9/1/2020 To Date: 9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
2000 - Employee Benefits	\$33,379.67	\$3,404.25	\$4,688.00	\$37,092.13	(\$8,400.46)
2131 - OT/PT Services Total:	\$33,379.67	\$3,404.25	\$4,688.00	\$37,092.13	(\$8,400.46)
2132 - Assistive Tech					
2000 - Employee Benefits	\$1,040.78	\$80.13	\$120.16	\$920.69	(\$0.07)
2132 - Assistive Tech Total:	\$1,040.78	\$80.13	\$120.16	\$920.69	(\$0.07)
2140 - Psychological Services					
2000 - Employee Benefits	\$13,737.10	\$1,109.11	\$1,635.73	\$12,082.19	\$19.18
2140 - Psychological Services Total:	\$13,737.10	\$1,109.11	\$1,635.73	\$12,082.19	\$19.18
2150 - Speech & Hearing Services					
2000 - Employee Benefits	\$20,700.38	\$1,606.77	\$2,371.40	\$16,850.20	\$1,478.78
2150 - Speech & Hearing Services Total:	\$20,700.38	\$1,606.77	\$2,371.40	\$16,850.20	\$1,478.78
2191 - Lunchroom Supervision					
2000 - Employee Benefits	\$26.08	\$0.00	\$26.08	\$0.00	\$0.00
2191 - Lunchroom Supervision Total:	\$26.08	\$0.00	\$26.08	\$0.00	\$0.00
2210 - Improvement of Instruction					
2000 - Employee Benefits	\$13,044.04	\$1,112.17	\$3,762.73	\$10,385.43	(\$1,104.12)
2210 - Improvement of Instruction Total:	\$13,044.04	\$1,112.17	\$3,762.73	\$10,385.43	(\$1,104.12)
2222 - Learning Resource Center					
2000 - Employee Benefits	\$21,568.67	\$1,379.87	\$2,110.81	\$15,197.36	\$4,260.50
2222 - Learning Resource Center Total:	\$21,568.67	\$1,379.87	\$2,110.81	\$15,197.36	\$4,260.50
2225 - Comp. Assist. Instruct. Serv.					
2000 - Employee Benefits	\$53,967.06	\$4,918.26	\$11,580.71	\$46,458.90	(\$4,072.55)
2225 - Comp. Assist. Instruct. Serv. Total:	\$53,967.06	\$4,918.26	\$11,580.71	\$46,458.90	(\$4,072.55)
2320 - Office of the Superintendent					
2000 - Employee Benefits	\$7,650.70	\$604.76	\$1,814.29	\$6,047.61	(\$211.20)
2320 - Office of the Superintendent Total:	\$7,650.70	\$604.76	\$1,814.29	\$6,047.61	(\$211.20)
2330 - Special Area Administration					
2000 - Employee Benefits	\$14,949.47	\$1,257.95	\$3,277.16	\$13,037.34	(\$1,365.03)
2330 - Special Area Administration Total:	\$14,949.47	\$1,257.95	\$3,277.16	\$13,037.34	(\$1,365.03)
2410 - Office of the Principal					
2000 - Employee Benefits	\$53,482.31	\$5,239.25	\$10,742.17	\$50,098.15	(\$7,358.01)
2410 - Office of the Principal Total:	\$53,482.31	\$5,239.25	\$10,742.17	\$50,098.15	(\$7,358.01)
2510 - Direction of Business Support					
2000 - Employee Benefits	\$2,656.42	\$210.34	\$631.02	\$2,103.40	(\$78.00)
2510 - Direction of Business Support Total:	\$2,656.42	\$210.34	\$631.02	\$2,103.40	(\$78.00)

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

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Print accounts with zero balance
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FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
2520 - Fiscal Services					
2000 - Employee Benefits	\$30,930.86	\$2,426.34	\$7,334.53	\$22,252.40	\$1,343.93
2520 - Fiscal Services Total:	\$30,930.86	\$2,426.34	\$7,334.53	\$22,252.40	\$1,343.93
2541 - O&M Service Area Direction					
2000 - Employee Benefits	\$11,978.73	\$947.60	\$2,846.08	\$9,475.99	(\$343.34)
2541 - O&M Service Area Direction Total:	\$11,978.73	\$947.60	\$2,846.08	\$9,475.99	(\$343.34)
2542 - Care & Upkeep of Buildings					
2000 - Employee Benefits	\$170,484.73	\$12,799.82	\$40,397.75	\$126,118.82	\$3,968.16
2542 - Care & Upkeep of Buildings Total:	\$170,484.73	\$12,799.82	\$40,397.75	\$126,118.82	\$3,968.16
2543 - Care & Upkeep of Grounds					
2000 - Employee Benefits	\$8,755.75	\$690.68	\$2,072.80	\$6,906.79	(\$223.84)
2543 - Care & Upkeep of Grounds Total:	\$8,755.75	\$690.68	\$2,072.80	\$6,906.79	(\$223.84)
2547 - Warehouse Services					
2000 - Employee Benefits	\$3,031.08	\$232.16	\$698.75	\$2,321.61	\$10.72
2547 - Warehouse Services Total:	\$3,031.08	\$232.16	\$698.75	\$2,321.61	\$10.72
2550 - Transportation Services					
2000 - Employee Benefits	\$1,548.82	\$119.14	\$357.43	\$1,191.40	(\$0.01)
2550 - Transportation Services Total:	\$1,548.82	\$119.14	\$357.43	\$1,191.40	(\$0.01)
2633 - Information Services					
2000 - Employee Benefits	\$4,892.69	\$387.80	\$1,163.53	\$3,878.00	(\$148.84)
2633 - Information Services Total:	\$4,892.69	\$387.80	\$1,163.53	\$3,878.00	(\$148.84)
2640 - Human Resources					
2000 - Employee Benefits	\$16,333.16	\$2,480.90	\$6,922.98	\$12,423.10	(\$3,012.92)
2640 - Human Resources Total:	\$16,333.16	\$2,480.90	\$6,922.98	\$12,423.10	(\$3,012.92)
3500 - Extended Day Kindergarten					
2000 - Employee Benefits	\$7,776.94	\$232.48	\$348.72	\$2,428.77	\$4,999.45
3500 - Extended Day Kindergarten Total:	\$7,776.94	\$232.48	\$348.72	\$2,428.77	\$4,999.45
3600 - Community Services					
2000 - Employee Benefits	\$0.00	\$4.89	\$4.89	\$0.00	(\$4.89)
3600 - Community Services Total:	\$0.00	\$4.89	\$4.89	\$0.00	(\$4.89)
3700 - Parochial/Private Services					
2000 - Employee Benefits	\$3,857.92	\$174.85	\$299.87	\$2,875.30	\$682.75
3700 - Parochial/Private Services Total:	\$3,857.92	\$174.85	\$299.87	\$2,875.30	\$682.75
51 - Social Security/Medicare Fund Total:	\$1,387,435.49	\$93,173.07	\$181,527.42	\$965,157.61	\$240,750.46

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
60 - Capital Projects Fund					
0000 - Undesignated					
2533 - Construction Services					
3000 - Purchased Services	\$497,000.00	\$100,835.96	\$214,002.28	\$5,210.00	\$277,787.72
 2533 - Construction Services Total:	\$497,000.00	\$100,835.96	\$214,002.28	\$5,210.00	\$277,787.72
2536 - Facility Improvements					
3000 - Purchased Services	\$0.00	\$0.00	\$2,378.00	\$0.00	(\$2,378.00)
5000 - Capital Expenditures > \$1,500	\$4,694,776.00	\$44,701.76	\$2,953,889.57	\$0.00	\$1,740,886.43
 2536 - Facility Improvements Total:	\$4,694,776.00	\$44,701.76	\$2,956,267.57	\$0.00	\$1,738,508.43
 60 - Capital Projects Fund Total:	\$5,191,776.00	\$145,537.72	\$3,170,269.85	\$5,210.00	\$2,016,296.15

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????

Account Type: Expenditure

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
80 - Tort Fund					
0000 - Undesignated					
2320 - Office of the Superintendent					
3000 - Purchased Services	\$2,000.00	\$198.00	\$198.00	\$0.00	\$1,802.00
4000 - Supplies <\$500	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
2320 - Office of the Superintendent Total:	\$2,250.00	\$198.00	\$198.00	\$0.00	\$2,052.00
2510 - Direction of Business Support					
3000 - Purchased Services	\$400,050.00	\$398,063.00	\$398,063.00	\$0.00	\$1,987.00
2510 - Direction of Business Support Total:	\$400,050.00	\$398,063.00	\$398,063.00	\$0.00	\$1,987.00
2540 - Operations & Maintenance					
3000 - Purchased Services	\$102,302.00	\$102,100.50	\$102,100.50	\$0.00	\$201.50
2540 - Operations & Maintenance Total:	\$102,302.00	\$102,100.50	\$102,100.50	\$0.00	\$201.50
80 - Tort Fund Total:	\$504,602.00	\$500,361.50	\$500,361.50	\$0.00	\$4,240.50

Community Consolidated School District No. 64

General Ledger - BOARD EXPENDITURE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Expenditure

- Print accounts with zero balance
- Include Inactive Accounts
- Include PreEncumbrance

FUND / SOURCE / FUNCTION / OBJECT	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
Grand Total:	\$86,779,502.70	\$6,483,877.52	\$16,197,483.46	\$52,753,665.64	\$17,828,353.60

End of Report

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ?????????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
10 - Education Fund					
1111 - Current Year Levy	(\$30,510,372.00)	\$0.00	\$0.00	\$0.00	(\$30,510,372.00)
1112 - Prior Year Levy	(\$23,898,845.00)	(\$1,162,105.26)	(\$21,056,092.85)	\$0.00	(\$2,842,752.15)
1113 - Other Prior Years Levy	\$500,000.00	\$74,288.18	\$125,749.54	\$0.00	\$374,250.46
1141 - Special Ed Current Year Levy	(\$2,722,500.00)	\$0.00	\$0.00	\$0.00	(\$2,722,500.00)
1142 - Special Ed Prior Year Levy	(\$2,247,975.00)	(\$112,733.03)	(\$2,042,600.78)	\$0.00	(\$205,374.22)
1143 - Spec Ed Other Prior Years Levy	\$55,000.00	\$7,514.41	\$12,719.84	\$0.00	\$42,280.16
1230 - Corp Personal Prop Replacement Tax	(\$1,119,014.00)	\$0.00	(\$304,935.64)	\$0.00	(\$814,078.36)
1311 - Regular Tuition	(\$154,000.00)	(\$23,473.00)	(\$23,473.00)	\$0.00	(\$130,527.00)
1321 - Summer School Tuition	(\$240,000.00)	(\$42,333.32)	(\$42,333.32)	\$0.00	(\$197,666.68)
1510 - Interest on Investments	(\$484,000.00)	(\$34,781.28)	(\$102,622.95)	\$0.00	(\$381,377.05)
1611 - Pupil Lunch	(\$800,000.00)	\$118.30	\$396.00	\$0.00	(\$800,396.00)
1710 - Athletic Fees	(\$28,000.00)	\$0.00	\$0.00	\$0.00	(\$28,000.00)
1711 - Athletics Admissions	(\$500.00)	\$0.00	\$0.00	\$0.00	(\$500.00)
1723 - Instrumental Music Fees	(\$24,000.00)	(\$3,730.00)	(\$6,850.00)	\$0.00	(\$17,150.00)
1724 - Chorus Fees	(\$450.00)	\$0.00	\$0.00	\$0.00	(\$450.00)
1726 - Library Fines	(\$400.00)	(\$17.00)	(\$17.00)	\$0.00	(\$383.00)
1727 - Chromebook Fees	(\$72,000.00)	(\$4,935.50)	(\$14,870.50)	\$0.00	(\$57,129.50)
1790 - Miscellaneous Student Fees	\$0.00	(\$35.00)	(\$49.24)	\$0.00	\$49.24
1810 - Registration Fees	(\$720,000.00)	(\$42,546.18)	(\$157,454.52)	\$0.00	(\$562,545.48)
1910 - Rentals	(\$75,000.00)	\$0.00	\$0.00	\$0.00	(\$75,000.00)
1920 - Donations	\$0.00	\$0.00	(\$75.00)	\$0.00	\$75.00
1960 - TIF - New Property	(\$441,000.00)	\$0.00	\$0.00	\$0.00	(\$441,000.00)
1993 - PREA Reimbursement	\$0.00	\$0.00	(\$240.00)	\$0.00	\$240.00
1996 - PRTAA Reimbursement	\$0.00	\$0.00	(\$480.00)	\$0.00	\$480.00
1997 - E-Rate	(\$50,000.00)	(\$8,361.57)	(\$14,123.17)	\$0.00	(\$35,876.83)
1998 - Extended Day Kdgn Fees	(\$500,000.00)	\$200.00	\$2,500.00	\$0.00	(\$502,500.00)
1999 - Other Local Revenues	(\$5,000.00)	(\$1,870.00)	(\$9,701.72)	\$0.00	\$4,701.72
3001 - Evidence-Based Funding	(\$3,367,111.42)	(\$306,102.00)	(\$612,204.00)	\$0.00	(\$2,754,907.42)
3100 - Special Ed Private Facility	(\$125,000.00)	\$0.00	(\$41,558.99)	\$0.00	(\$83,441.01)
3360 - State Free Lunch	(\$700.00)	(\$323.50)	(\$323.50)	\$0.00	(\$376.50)
3999 - Other State Revenue	\$0.00	\$0.00	(\$3,405.75)	\$0.00	\$3,405.75
4215 - Special Milk	(\$17,000.00)	\$0.00	\$0.00	\$0.00	(\$17,000.00)
4300 - Title I Low Income	(\$201,000.00)	\$0.00	(\$64,657.00)	\$0.00	(\$136,343.00)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date: 9/1/2020 To Date: 9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance
 Include Inactive Accounts
 Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
4400 - Title IV SSAE	(\$10,000.00)	\$0.00	(\$5,404.00)	\$0.00	(\$4,596.00)
4600 - IDEA Preschool	(\$18,800.00)	\$0.00	(\$1,335.00)	\$0.00	(\$17,465.00)
4620 - IDEA Flow Through	(\$1,159,278.00)	\$0.00	(\$66,887.00)	\$0.00	(\$1,092,391.00)
4625 - IDEA Room & Board	(\$49,000.00)	\$0.00	(\$5,438.69)	\$0.00	(\$43,561.31)
4932 - Title II Teacher Quality	(\$67,000.00)	(\$18,391.00)	(\$18,391.00)	\$0.00	(\$48,609.00)
4991 - Medicaid Admin Outreach	(\$132,000.00)	\$0.00	\$0.00	\$0.00	(\$132,000.00)
4992 - Medicaid Fee for Service	(\$121,000.00)	\$0.00	(\$19,940.49)	\$0.00	(\$101,059.51)
4999 - Other Federal Revenue	(\$171,000.00)	\$0.00	\$0.00	\$0.00	(\$171,000.00)
10 - Education Fund	(\$68,976,945.42)	(\$1,679,616.75)	(\$24,474,099.73)	\$0.00	(\$44,502,845.69)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
20 - Operations & Maintenance Fund					
1111 - Current Year Levy	(\$2,983,752.00)	\$0.00	\$0.00	\$0.00	(\$2,983,752.00)
1112 - Prior Year Levy	(\$3,013,875.00)	(\$146,552.94)	(\$2,655,381.01)	\$0.00	(\$358,493.99)
1113 - Other Prior Years Levy	\$60,000.00	\$8,867.01	\$15,009.42	\$0.00	\$44,990.58
1510 - Interest on Investments	(\$45,800.00)	(\$4,036.95)	(\$11,998.04)	\$0.00	(\$33,801.96)
1910 - Rentals	(\$50,000.00)	\$0.00	\$0.00	\$0.00	(\$50,000.00)
1921 - PTO Donations	(\$21,550.00)	\$0.00	(\$1,299.91)	\$0.00	(\$20,250.09)
1961 - TIF - New Student	(\$160,000.00)	\$0.00	\$0.00	\$0.00	(\$160,000.00)
1999 - Other Local Revenues	(\$18,000.00)	(\$20.00)	(\$20.00)	\$0.00	(\$17,980.00)
3999 - Other State Revenue	\$0.00	\$0.00	(\$56,589.83)	\$0.00	\$56,589.83
20 - Operations & Maintenance Fund Total:	(\$6,232,977.00)	(\$141,742.88)	(\$2,710,279.37)	\$0.00	(\$3,522,697.63)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
30 - Debt Services Fund					
1111 - Current Year Levy	(\$189,984.00)	\$0.00	\$0.00	\$0.00	(\$189,984.00)
1112 - Prior Year Levy	(\$892,091.00)	(\$43,378.42)	(\$785,970.08)	\$0.00	(\$106,120.92)
1113 - Other Prior Years Levy	\$20,000.00	\$2,891.49	\$4,894.51	\$0.00	\$15,105.49
1510 - Interest on Investments	(\$26,400.00)	(\$1,575.40)	(\$4,909.32)	\$0.00	(\$21,490.68)
30 - Debt Services Fund Total:	(\$1,088,475.00)	(\$42,062.33)	(\$785,984.89)	\$0.00	(\$302,490.11)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
40 - Transportation Fund					
1111 - Current Year Levy	(\$813,750.00)	\$0.00	\$0.00	\$0.00	(\$813,750.00)
1112 - Prior Year Levy	(\$463,673.00)	(\$22,546.61)	(\$408,520.16)	\$0.00	(\$55,152.84)
1113 - Other Prior Years Levy	\$30,000.00	\$3,456.62	\$5,851.11	\$0.00	\$24,148.89
1411 - Pay Rider Fees	(\$13,000.00)	\$0.00	\$0.00	\$0.00	(\$13,000.00)
1510 - Interest on Investments	(\$42,250.00)	(\$1,407.08)	(\$3,919.55)	\$0.00	(\$38,330.45)
3500 - Regular Transportation	(\$21,000.00)	\$0.00	(\$7,019.46)	\$0.00	(\$13,980.54)
3510 - Special Ed Transportation	(\$930,000.00)	\$0.00	(\$299,298.74)	\$0.00	(\$630,701.26)
40 - Transportation Fund Total:	(\$2,253,673.00)	(\$20,497.07)	(\$712,906.80)	\$0.00	(\$1,540,766.20)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
50 - Municipal Retirement Fund					
1111 - Current Year Levy	(\$217,000.00)	\$0.00	\$0.00	\$0.00	(\$217,000.00)
1112 - Prior Year Levy	(\$393,897.00)	(\$19,165.08)	(\$347,250.56)	\$0.00	(\$46,646.44)
1113 - Other Prior Years Levy	\$12,000.00	\$1,202.25	\$2,035.08	\$0.00	\$9,964.92
1230 - Corp Personal Prop Replacement Tax	(\$50,000.00)	\$0.00	\$0.00	\$0.00	(\$50,000.00)
1510 - Interest on Investments	(\$12,700.00)	(\$968.38)	(\$2,843.35)	\$0.00	(\$9,856.65)
50 - Municipal Retirement Fund Total:	(\$661,597.00)	(\$18,931.21)	(\$348,058.83)	\$0.00	(\$313,538.17)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
51 - Social Security/Medicare Fund					
1151 - Soc Sec Current Year Levy	(\$651,000.00)	\$0.00	\$0.00	\$0.00	(\$651,000.00)
1152 - Soc Sec Prior Year Levy	(\$463,673.00)	(\$22,546.61)	(\$408,520.16)	\$0.00	(\$55,152.84)
1153 - Soc Sec Other Prior Years Levy	\$16,000.00	\$1,352.60	\$2,289.58	\$0.00	\$13,710.42
1230 - Corp Personal Prop Replacement Tax	(\$68,000.00)	\$0.00	\$0.00	\$0.00	(\$68,000.00)
1510 - Interest on Investments	(\$10,625.00)	(\$1,074.32)	(\$3,318.70)	\$0.00	(\$7,306.30)
51 - Social Security/Medicare Fund Total:	(\$1,177,298.00)	(\$22,268.33)	(\$409,549.28)	\$0.00	(\$767,748.72)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
60 - Capital Projects Fund					
1510 - Interest on Investments	(\$14,140.00)	(\$9.20)	(\$222.72)	\$0.00	(\$13,917.28)
60 - Capital Projects Fund Total:	(\$14,140.00)	(\$9.20)	(\$222.72)	\$0.00	(\$13,917.28)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
70 - Working Cash Fund					
1111 - Current Year Levy	(\$326,700.00)	\$0.00	\$0.00	\$0.00	(\$326,700.00)
1112 - Prior Year Levy	(\$247,496.00)	(\$12,400.48)	(\$224,683.28)	\$0.00	(\$22,812.72)
1113 - Other Prior Years Levy	\$6,000.00	\$826.54	\$1,399.11	\$0.00	\$4,600.89
1510 - Interest on Investments	(\$7,000.00)	(\$387.45)	(\$971.92)	\$0.00	(\$6,028.08)
70 - Working Cash Fund Total:	(\$575,196.00)	(\$11,961.39)	(\$224,256.09)	\$0.00	(\$350,939.91)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE	FY20-21 Budget	Range To Date	Year To Date	Encumbrance	Budget Balance
80 - Tort Fund					
1121 - Tort Current Year Levy	(\$162,750.00)	\$0.00	\$0.00	\$0.00	(\$162,750.00)
1122 - Tort Prior Year Levy	(\$185,469.00)	(\$9,018.95)	(\$163,413.67)	\$0.00	(\$22,055.33)
1123 - Tort Other Prior Years Levy	\$8,000.00	\$300.59	\$508.82	\$0.00	\$7,491.18
1510 - Interest on Investments	(\$7,000.00)	(\$500.45)	(\$1,512.84)	\$0.00	(\$5,487.16)
80 - Tort Fund Total:	(\$347,219.00)	(\$9,218.81)	(\$164,417.69)	\$0.00	(\$182,801.31)

Community Consolidated School District No. 64

General Ledger - BOARD REVENUE REPORT

Fiscal Year: 2020-2021 From Date:9/1/2020 To Date:9/30/2020

Account Mask: ??????????????????????????????

Account Type: Revenue

- Print accounts with zero balance Include Inactive Accounts Include PreEncumbrance

FUND / SOURCE

FY20-21 Budget Range To Date Year To Date Encumbrance Budget Balance

Grand Total: (\$81,327,520.42) (\$1,946,307.97) (\$29,829,775.40) \$0.00 (\$51,497,745.02)

End of Report

This Report Can be Viewed on the

[Financial Data Current](#)

Second Reading & Approval of Policies from PRESS 105

Policy	Issue	Title	District Policy Committee 09/01/2020 Change/No Change	Board Policy Committee 09/15/20 Change/No Change	Board Meeting 10/08/20 Change/No Change
2:260	105	Uniform Grievance Procedure	N/C	N/C	N/C
2:265	105	NEW - Title IX Sexual Harassment Grievance Procedure	N/C	N/C	N/C
5:10	105	Equal Employment Opportunity & Minority Recruitment	N/C	N/C	N/C
5:20	105	Workplace Harassment Prohibited	N/C	N/C	N/C
5:100	105	Staff Development Program	N/C	N/C	N/C
5:200	105	Terms & Conditions of Employment & Dismissal	N/C	N/C	N/C
5:220	105	Substitute Teachers	N/C	N/C	N/C
5:330	105	Sick, Days, Vacation, Holidays, & Leaves	Retain current policy which aligns w/collective bargaining agreement	Retain current policy which aligns w/collective bargaining agreement	Retain current policy which aligns w/collective bargaining agreement
7:10	105	Equal Educational Opportunities	N/C	N/C	N/C
7:20	105	Harassment of Students Prohibited	N/C	N/C	N/C
7:180	105	Prevention of and Response to Bullying, Intimidation, & Harassment	N/C	N/C	N/C
7:185	105	Teen Dating Violence Prohibited	N/C	N/C	N/C

School Board

Uniform Grievance Procedure 1

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the School Board, its employees, or its agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy², or have a complaint regarding any one of the following: ³

1. Title II of the Americans with Disabilities Act, [42 U.S.C. §12101 et seq.](#) ⁴
2. Title IX of the Education Amendments of 1972, [20 U.S.C. §1681 et seq.](#), excluding Title IX sexual harassment complaints governed by policy 2:265, Title IX Sexual Harassment Grievance Procedure

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

¹ State or federal law requires this subject matter be covered by policy and 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. Employee grievance procedures are a mandatory subject of bargaining and cannot be changed without the employee exclusive representative’s consent. This policy [and its companion policy 2:265, Title IX Sexual Harassment Grievance Procedure, are-is](#) in addition to, and not a substitute for, the employee grievance procedure contained in a collective bargaining agreement.

A grievance procedure is required by many civil rights acts and implementing regulations, including those listed. For the sake of consistency and ease of administration, this policy consolidates all board grievance procedures, [excluding Title IX sexual harassment complaints \(see sample policy 2:265, Title IX Sexual Harassment Grievance Procedure\)](#) into one policy, except those contained in collective bargaining agreements. See the cross references for the policies referring to this uniform grievance procedure policy.

² Including the phrase “guaranteed by the State or federal Constitution, State or federal statute, or Board policy” broadens the scope of this policy beyond the items listed. Consult the board attorney regarding whether to retain this phrase and/or to otherwise limit the scope of this policy.

³ The Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §1400 [et seq.](#)) is not included in the list of statutes that may serve as the basis of a grievance, and attorneys disagree whether it should be. Many believe that IDEA provides the exclusive remedy; others believe that including IDEA allows parents an opportunity to get their position before the board. Unique and specific complaint resolution mechanisms are expressly provided under IDEA, Article 14 of the School Code, and their respective implementing regulations. These mechanisms follow: (1) IDEA at 20 U.S.C. §1415 (procedural safeguards-mediation and due process); (2) IDEA regulations at 34 C.F.R. §§300.151-300.153 (state complaints), 300.506 (mediation), and 300.507 [et seq.](#) (due process); (3) School Code at §§14/8.02a (mediation and due process) and 14/8.02b (expedited due process); and (4) special education regulations at 23 Ill.Admin.Code §§226.560 (Mediation), 226.570 (State Complaint Procedures), and Subpart G (due process). A board that would like to include IDEA should consult the board attorney.

⁴ The Americans with Disabilities Act Amendments Act (ADAAA) (Pub. L. 110-325), made significant changes to the Americans with Disabilities Act’s definition of disability by broadening the scope of coverage. The ADAAA also overturned a series of U.S. Supreme Court decisions that interpreted the Americans with Disabilities Act of 1990 in a way that made it difficult to prove that impairments were a disability. The U.S. Equal Employment Opportunity Commission’s (EEOC) regulations, 29 C.F.R. Part 1630, are at: www.eeoc.gov/laws/types/disability_regulations.cfm.

Boards should consult with their attorneys regarding how the ADAAA and its implementing regulations impact their districts.

Title II of the ADA of 1990 also includes website accessibility. Addressing website accessibility is complicated. Many entities addressing website accessibility use *Web Content Accessibility Guidelines* (WCAG) 2.0, a frequently cited accessibility standard that contains guidelines developed by a private group of accessibility experts. WCAG 2.0 is the standard the U.S. Dept. of Justice referenced in its recent Title II rulemaking; however, it is not adopted as the formal legal standard for public accommodation websites. While it is not adopted as the formal legal standard for public accommodation websites, it has been used in many consent decrees and settlement agreements. See www.w3.org/TR/WCAG20/.

3. Section 504 of the Rehabilitation Act of 1973, [29 U.S.C. §791 et seq.](#)⁵
4. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
5. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.
6. Sexual harassment ~~prohibited by the (State Officials and Employees Ethics Act⁶, [5 ILCS 430/70-5\(a\)](#); Illinois Human Rights Act, [775 ILCS 5/](#); and Title VII of the Civil Rights Act of 1964, [42 U.S.C. §2000e et seq.](#) and Title IX of the Education Amendments of 1972) (Title IX~~

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⁵ See f/n 4's discussion of website accessibility above. To avoid allegations that a district violated Section 504 of the Rehabilitation Act of 1973 and Title II of the ADA of 1990, many attorneys suggest that school districts' websites meet the WCAG 2.0 guidelines. But see the discussion in f/n 2 of policy 8:70, *Accommodating Individuals with Disabilities*.

⁶ 5 ILCS 430/70-5(a), amended by P.A.s 100-554 and 101-221, requires governmental entities (including school districts) to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment that contains certain prescribed elements. See [sample](#) policy 5:20, *Workplace Harassment Prohibited*, at f/n 3 and subhead **Complaints of Sexual Harassment Made Against Board Members by Elected Officials** in [sample](#) policy 2:105, *Ethics and Gift Ban*, for further detail. Complaints of sexual harassment made against board members by fellow board members or other elected officials of governmental units must undergo an *independent review*, which is not a term defined in the statute. Unlike 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. School districts are also required to create, maintain, and implement an age-appropriate sexual harassment policy. 105 ILCS 5/10-20.69 (final citation pending), added by P.A. 101-418, ~~eff. 1-1-20~~. See [sample](#) policy 7:20, *Harassment of Students Prohibited*, and its f/n ~~78~~ for further information.

A new publication law, 50 ILCS 205/3c, added by P.A. 100-1040, requires a school district to post on its website and make available to news media specific information about severance agreements that it enters into because an employee or contractor was "found to have engaged in sexual harassment or sexual discrimination, as defined by the Ill. Human Rights Act or Title VII of the Civil Rights Act of 1964." Consult the board attorney about the word *found*. It raises many practical application questions, e.g., when does the word *found* trigger a board's compliance responsibility pursuant to this law. Such questions include, but are not limited to:

1. Must a school board make a *finding* to trigger this requirement? If the severance agreement is entered into post-termination, a record of board *findings* rarely exists.
2. Are charges for termination *findings*? Often superintendents submit charges for termination, but these are not technically *findings*.
3. Are charges based on a complaint manager's report and determination(s) *findings* under the law when a board still has the ability to review and reject the complaint manager's determination(s)?

Next, contrast the above publication law with the Government Severance Pay Act (GSPA), 5 ILCS 415/10(a)(2), added by P.A. 100-895. GSPA prohibits an employee of a school district with contract provisions for severance pay from receiving any severance if he or she is fired for *misconduct* by the board. GSPA defines *misconduct* to include sexual harassment and/or discrimination. *Id.* at 415/5.

Consult the board attorney about how to reconcile whether sexual harassment and/or sexual discrimination is misconduct for which a severance would be prohibited under the GSPA, and therefore, not available to be published under 50 ILCS 205/3c, added by P.A. 100-1040. And for further discussion and other applicable transparency laws that apply to this issue, see also f/n ~~15~~ in policy 5:20, *Workplace Harassment Prohibited*.

[sexual harassment complaints are addressed under policy 2:265, Title IX Sexual Harassment Grievance Procedure](#)⁷

7. Breastfeeding accommodations for students, 105 ILCS 5/10-20.60⁸
8. Bullying, 105 ILCS 5/27-23.7⁹
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children¹⁰
10. Curriculum, instructional materials, and/or programs
11. Victims' Economic Security and Safety Act, 820 ILCS 180/
12. Illinois Equal Pay Act of 2003, 820 ILCS 112/
13. Provision of services to homeless students
14. Illinois Whistleblower Act, 740 ILCS 174/¹¹

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⁷ Consult the board attorney to ensure the district's nondiscrimination 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. In September 2017, the U.S. Dept. of Education (DOE) withdrew its sexual violence Title IX guidance issued in 2011 and 2014, which mandated procedures for processing student on student sexual conduct, including using a preponderance of the evidence standard for student discipline. The DOE has issued interim guidance until new rulemaking is promulgated: *Q&A on Campus Sexual Misconduct (OCR September 2017)* at: www2.ed.gov/about/offices/list/ocr/docs/qa-title-ix-201709.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term= An earlier guidance document also highlights appropriate responses to sexual violence under Title IX. See *Revised Sexual Harassment Guidance: Harassment of Student by School Employees, Other Students, or Third Parties, January 2001* at: www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf. Consult the board attorney regarding proper filing and storage of these investigation documents, including whether certain student-related investigation documents are *sole possession records*, a Family Policy Compliance Office (FPCO)-created an exemption to the Family Education Rights Privacy Act (FERPA) (20 U.S.C. §1232g). See *Letter to Ruscio*, 115 LRP 18601 (FPCO 12-17-14).

⁸ 105 ILCS 5/10-20.60, added by P.A. 100-29, requires schools to implement the Ill. sex equity grievance procedures when processing student complaints about breastfeeding accommodations. Complainants must be informed that the board's decision may be appealed to the Regional Superintendent and, thereafter, to the State Superintendent. 23 Ill.Admin.Code §200.40. **Note:** Certain claims brought under Sec. 10-20.60 may also be covered by the anti-discrimination protections of Title IX; consult the board attorney for further advice. Guidance from U.S. Dept. of Education on Title IX requirements for pregnant and parenting students (June 2013) is available at: www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf.

⁹ All districts must have a policy on bullying. 105 ILCS 5/27-23.7. See [sample](#) policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. The inclusion of *bullying* in the list of topics that may serve as the basis of a grievance furthers the obligation to communicate this policy to students and their parents/guardians.

¹⁰ Parents/guardians of educationally disadvantaged children may sue a district for misuse of funds allocated by State law for the benefit of such children. *Noyola v. Bd. of Educ.*, 171 Ill.2d 121 (Ill. 1997) (affirming the appellate court's conclusion in *Noyola v. Bd. of Educ.*, 284 Ill.App.3d 128 (1st Dist. 1996) that parents/guardians may pursue a claim to enforce the requirements of the School Code but holding that the proper action for enforcement is by means of mandamus not an implied right of action).

¹¹ The Ill. Whistleblower Act (740 ILCS 174/) includes school districts in the definition of employer. It protects employees from employer retaliation for disclosing information to a government or law enforcement agency. Section 15 also contains language prohibiting employers from retaliating against employees who disclose information in a court, an administrative hearing, or before a legislative commission or committee, or in any other proceeding where the employee has reasonable cause to believe that the information reveals a violation of a State or federal law, rule or regulation. The Ill. Whistleblower Reward and Protection Act (740 ILCS 174/) includes school districts in its definition of *State*. A strict interpretation of this language appears to allow school boards to collect civil penalties and costs against someone making a false claim. Before disciplining any employee, boards should thoroughly investigate the ramifications of these acts in consultation with their attorney and liability insurance carriers.

15. Misuse of genetic information ~~prohibited by the Illinois Genetic Information Privacy Act (GIPA), 410 ILCS 513/;~~ and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. §2000ff et seq. ¹²
16. Employee Credit Privacy Act, 820 ILCS 70/ ¹³

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parents/guardians); this includes mediation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable¹⁴ resolution of a complaint filed under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a

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¹² The Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. §2000ff et seq.) is a federal law. Title I addresses the use of genetic information pertaining to health insurance. Title II protects job applicants, current and former employees, labor union members, and apprentices and trainees from discrimination based on their genetic information. GINA covers employers with 15 or more employees.

GINA broadly defines genetic information to include information about an individual's genetic tests, their family members, and, among other things, the manifestation of a disease or disorder in the individual or the individual's family members. Information about an individual's or family member's age or gender is excluded from genetic information. Its remedies mirror those available under a Title VII of the Civil Rights Act claim: back pay, reinstatement, attorneys' fees and compensatory and punitive damages. Retaliation against an individual who brings a claim under GINA is also prohibited. Federal regulations are available at 29 C.F.R. Part 1635, and background information on these regulations is available at: www.eeoc.gov/policy/docs/qanda_geneticinfo.html. An FAQ titled: *FAQs on the Genetic Information Nondiscrimination Act* is available at: www.dol.gov/agencies/ebsa/laws-and-regulations/laws/gina.

The Ill. Genetic Information Protection Act (GIPA) (410 ILCS 513/, amended by P.A. 100-396) also prohibits employers from making employment decisions on the basis of any employee's genetic testing information and from penalizing employees who do not want to disclose their genetic information as part of a workplace wellness program. GIPA includes the federal GINA's definition of genetic information and creates more stringent obligations on Ill. employers. While the federal GINA exempts small employers (those with less than 15 employees), Illinois' GIPA covers all employers, even those with one employee. GIPA also provides penalties for negligent and intentional mishandling of genetic information. Note that Title II of GINA does not preempt GIPA's greater protections to Illinois employees.

Before using any sort of genetic information, consult the board attorney for guidance regarding GINA's and GIPA's specific applications to the district and how these laws integrate with other related federal laws, such as the Family and Medical Leave Act (29 U.S.C. §2612 et seq.) and the ADA, and State laws governing time off for sickness and workers' compensation.

¹³ 820 ILCS 70/. Unless a satisfactory credit history is an *established bona fide occupational requirement* of a particular position, an employer may not: (1) refuse to hire, discharge, or otherwise discriminate against an individual with respect to employment because of the individual's credit history or credit report; (2) inquire about an applicant's or employee's credit history; or (3) order or obtain an applicant's or employee's credit report from a consumer reporting agency. The Act identifies circumstances that permit a satisfactory credit history to be a job requirement, such as, when the position's duties include custody of or unsupervised access to cash or marketable assets valued at \$2,500 or more. A person who is injured by a violation of this Act may bring a civil action to obtain injunctive relief and/or damages. 820 ILCS 70/25. The court must award costs and reasonable attorneys' fees to a prevailing plaintiff.

¹⁴ The phrase "prompt and equitable resolution" comes from Title IX implementing regulation 34 C.F.R. §106.8(bc) which requires schools to "adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints" of sex discrimination.

person is pursuing another remedy subject to a complaint under this policy, the District will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, *school business days* means days on which the District's main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender.¹⁵ The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager shall process and review the complaint according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy. For any complaint alleging sexual harassment or other violation of Board policy 5:20, *Workplace Harassment Prohibited*, the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy ~~2:260, Uniform Grievance Procedure~~.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf.¹⁶ The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. If the Complainant is a student under 18 years of age, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law or this policy, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days ~~of~~after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time.

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¹⁵ This is a best practice.

¹⁶ This policy gives complaint managers the flexibility to appoint another individual to conduct an investigation, which may be appropriate in cases where the neutrality or efficacy of the complaint manager is an issue, and/or where the district wishes to have the expertise and related attorney-client and work product privileges that an in-house or outside attorney may afford an investigation. Such alternative appointments are often made in consultation with the superintendent or other district-level administrator (except in cases involving complaints about those individuals).

The Superintendent will keep the Board informed of all complaints.

If a complaint contains allegations involving the Superintendent or Board member(s), the written report shall be filed directly with the Board, which will make a decision in accordance with paragraph four of the following section of this policy.

Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Superintendent shall mail his or her written decision to the Complainant and the accused by first class U.S. mail as well as to the Complaint Manager. All decisions shall be based upon the *preponderance of evidence* standard.¹⁷

Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal the decision to the Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board.

Within 30 school business days, the Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information. Within five school business days ~~of~~after the Board's decision, the Superintendent shall inform the Complainant and the accused of the Board's action.

For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall mail its written decision to the Complainant and the accused by first class U.S. mail as well as to the Complaint Manager.

This policy shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.¹⁸

Appointing a Nondiscrimination Coordinator and Complaint Managers¹⁹

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of

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¹⁷ *Preponderance of evidence* is a standard ~~used of proof~~ in civil cases. It means "the greater weight of the evidence, not necessarily established by the greater number of witnesses testifying to a fact but by evidence that has the most convincing force evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not." See *Black's Law Dictionary*, 911th ed. 20019.

¹⁸ The Ill. sex equity regulations require districts to have "specific timelines for completion of each step and rendering of a written decision, and shall provide for final appeal of grievance decisions made at the system level to the system's governing board." 23 Ill.Admin.Code §200.40(c)(1). To avoid arguments over these timelines, this sample policy provides that the failure to strictly follow the timelines does not prejudice any party. The grievance procedure is worthless if complaints are not thoroughly and promptly investigated.

¹⁹ Title IX regulations require districts to designate and authorize at least one employee to coordinate efforts to comply with Title IX and to refer to that employee as the Title IX Coordinator. 34 C.F.R. §106.8(a). Districts must identify the Title IX coordinator by name, office address, email address, and telephone number ~~of the person who is responsible for coordinating the district's compliance efforts.~~ Id.

employees, students, and others. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.²⁰

The Superintendent shall appoint at least one Complaint Manager to administer ~~the complaint process in~~ this policy. If possible, the Superintendent will appoint two Complaint Managers, one of each gender. The District's Nondiscrimination Coordinator may be appointed as one of the Complaint Managers.

The Superintendent shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.²¹

Nondiscrimination Coordinator:

Name

Address

Email

Telephone

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

~~A district must prominently display its Title IX non-discrimination policies (this policy 2:260, *Uniform Grievance Procedure*, and sample policy 2:265, *Title IX Sexual Harassment Grievance Procedure*) and contact information for its Title IX coordinator(s) on its website, if any, and in each handbook made available to students, applicants for employment, parents/guardians, employees, and collective bargaining units. 34 C.F.R. §106.8(a) and (b). Notifications must state that nondiscrimination extends to employment, and that inquiries about the application of Title IX and its regulations may be referred to the district's Title IX coordinator, to the U.S. Dept. of Education's Assistant Secretary of Education, or both. 34 C.F.R. §106.8(b). See sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*. OCR prefers that school districts make Title IX information and coordinators visible to the community, and it has provided materials designed to remind schools of their obligation to designate a Title IX coordinator. These materials include: (1) a *Dear Colleague Letter on Title IX Coordinators*; (2) a *Letter to Title IX Coordinators* that provides them with more information about their role; and (3) a *Title IX Resource Guide* that includes an overview of Title IX's requirements with respect to several key issues. See .~~

While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

²⁰ ~~The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator."~~ insert a hard return to create a new paragraph, and insert "The Superintendent shall appoint a Title IX Coordinator to coordinate the District's efforts to comply with Title IX." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.

Best practice is that throughout the board policy manual, the same individual be named as Nondiscrimination Coordinator. In contrast, Complaint Managers identified in individual policies may vary depending upon local district needs.

²¹ The board may include the following option to address publication of such contact information:

"The Superintendent or designee shall ensure that students, parents/guardians, employees, and members of the community are informed of the contact information for the District's Nondiscrimination Coordinator and Complaint Managers on an annual basis."

Publicizing the contact information for the Nondiscrimination Coordinator and Complaint Managers through personnel handbooks, student handbooks, and/or on the district's website is a best practice. The Illinois Principals Association maintains a handbook service that coordinates with PRESS material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/resources/model-student-handbook.

Complaint Managers:

Name	Name
Address	Address
Email	Email
Telephone	Telephone

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.
Americans With Disabilities Act, 42 U.S.C. §12101 et seq.
Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.
Equal Pay Act, 29 U.S.C. §206(d).
Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.
Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
Title IX of the Education Amendments, 20 U.S.C. §1681 et seq.; [34 C.F.R. Part 106](#)
State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a).
105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-20.60, 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.
Illinois Genetic Information Privacy Act, 410 ILCS 513/.
Illinois Whistleblower Act, 740 ILCS 174/.
Illinois Human Rights Act, 775 ILCS 5/.
Victims' Economic Security and Safety Act, 820 ILCS 180/, 56 Ill.Admin.Code Part 280.
Equal Pay Act of 2003, 820 ILCS 112/.
Employee Credit Privacy Act, 820 ILCS 70/.
23 Ill.Admin.Code §§1.240 and 200.40.

CROSS REF.: 2:105 (Ethics and Gift Ban), [2:265 \(Title IX Sexual Harassment Grievance Procedure\)](#), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), [5:90 \(Abused and Neglected Child Reporting\)](#), 6:120 (Education of Children with Disabilities), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), [7:185 \(Teen Dating Violence Prohibited\)](#), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and Concerns)

School Board

Title IX Sexual Harassment Grievance Procedure 1

Sexual harassment affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from sexual harassment is an important District goal. The District does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the District's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties.

Title IX Sexual Harassment Prohibited

Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a District employee or agent, or student, engages in Title IX Sexual Harassment whenever that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following:²

1. A District employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;³ or

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¹ Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. §1681 *et seq.*) requires this subject matter be covered by policy and controls this policy's content. This policy contains items 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. Employee grievance procedures are a mandatory subject of bargaining and cannot be changed without the employee exclusive representative's consent. This policy and its companion policy 2:260, *Uniform Grievance Procedure*, are in addition to, and not a substitute for, the employee grievance procedure contained in a collective bargaining agreement.

For the sake of consistency and ease of administration, this policy addresses only Title IX sexual harassment grievances, except those contained in collective bargaining agreements. See the cross references for the policies referring to this Title IX sexual harassment grievance procedure policy.

A district must have at least one policy explicitly stating it does not discriminate on the basis of sex in its education programs or activities under Title IX and its implementation regulations (34 C.F.R. Part 106). 34 C.F.R. §106.8(b)(1). Title IX jurisdiction is geographically limited to discrimination against a person in the United States. 34 C.F.R. §106.8(d). Though all complaints of sexual harassment may not constitute sexual harassment under Title IX, Title IX's reach is broad because an alleged complainant or alleged respondent may be *anyone* in the District's educational program or activity in the United States – including applicants for employment, students, parents/guardians, any employee, and third parties.

² 34 C.F.R. §106.30. The definition of *sexual harassment* in the policy and in Title IX includes *unwelcome* conduct. *Id.* However, case law does not always distinguish between *welcome* and *unwelcome* conduct. See Mary M. v. North Lawrence Community Sch. Corp., 131 F.3d 1220 (7th Cir. 1997) (8th grade student did not need to show that a school employee's sexual advances were *unwelcome* in order to prove sexual harassment).

³ 34 C.F.R. §106.30. This behavior is commonly called *quid pro quo* sexual harassment. See 85 Fed. Reg. 30036, f/n 94. By using the term *individual*, Title IX regulations do not limit *quid pro quo* sexual harassment to situations where the provision of an aid, benefit or service by an employee is conditioned on a current *student's* participation in unwelcome sexual conduct. By way of example, *quid pro quo* Title IX sexual harassment involving an employee and an individual other than a current student may be implicated when: an employee tells a former student she can only get a letter of recommendation if she participates in unwelcome sexual conduct; an employee selects a volunteer for a coveted field trip chaperone position if he participates in unwelcome sexual conduct; or a supervisory employee subjects a subordinate employee to unwelcome sexual conduct in exchange for a promotion.

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's educational program or activity; or
3. *Sexual assault* as defined in 20 U.S.C. §1092(f)(6)(A)(v), *dating violence* as defined in 34 U.S.C. §12291(a)(10), *domestic violence* as defined in 34 U.S.C. §12291(a)(8), or *stalking* as defined in 34 U.S.C. §12291(a)(30). ⁴

Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion.

Definitions from 34 C.F.R. §106.30

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. ⁵

Education program or activity includes locations, events, or circumstances where the District has substantial control over both the *Respondent* and the context in which alleged sexual harassment occurs. ⁶

Formal Title IX Sexual Harassment Complaint means a document filed by a *Complainant* or signed by the Title IX Coordinator⁷ alleging sexual harassment against a *Respondent* and requesting that the District investigate the allegation. ⁸

Respondent means an individual who has been reported to be the perpetrator of the conduct that could constitute sexual harassment. ⁹

Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the *Complainant* or the *Respondent* before or after the filing of a *Formal Title IX Sexual Harassment Complaint* or where no *Formal Title IX Sexual Harassment Complaint* has been filed. ¹⁰

Title IX Sexual Harassment Prevention and Response

The Superintendent or designee will ensure that the District prevents and responds to allegations of Title IX Sexual Harassment as follows:

1. Ensures that the District's comprehensive health education program in Board policy 6:60, *Curriculum Content*, incorporates (a) age-appropriate sexual abuse and assault awareness and prevention programs in grades pre-K through 12,¹¹ and (b) age-appropriate education about

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⁴ See sample exhibit 2:265-E, *Title IX Sexual Harassment Glossary of Terms*, for these definitions and other definitions of italicized terms in this policy.

⁵ 34 C.F.R. §106.30.

⁶ 34 C.F.R. §106.44(a).

⁷ See f/n 19 in sample policy 2:260, *Uniform Grievance Procedure*.

⁸ 34 C.F.R. §106.30.

⁹ *Id.*

¹⁰ *Id.* See sample administrative procedure 2:265-AP1, *Title IX Sexual Harassment Response*, for further discussion of supportive measures.

¹¹ Required by 105 ILCS 110/3 and 105 ILCS 5/10-23.13 (*Erin's Law*).

the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12.¹² This includes incorporating student social and emotional development into the District’s educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.

2. Incorporates education and training for school staff¹³ as recommended by the Superintendent, Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager. ¹⁴
3. Notifies applicants for employment,¹⁵ students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the District’s website, if any, and in each handbook made available to such persons. ¹⁶

Making a Report

A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the person is comfortable speaking.¹⁷ A person who wishes to make a report may choose to report to a person of the same gender.

School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.

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¹² Required by *Id.* at 110/3.

¹³ For boards that insert optional paragraphs listing trainings in f/n 4 of policy 5:100, *Staff Development Program*, insert “pursuant to policy 5:100, *Staff Development Program*, and” after the word staff.

¹⁴ 105 ILCS 110/3. Detailed training requirements exist for Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. 34 C.F.R. §106.45(b)(1)(iii). Title IX rules “[leave districts] discretion to determine the kind of training to other employees that will best enable the [district], and its Title IX Coordinator, to meet Title IX obligations.” 85 Fed. Reg. 30114. Many attorneys agree the best practice is to train all district staff about the definition of sexual harassment, the scope of the district’s education program or activity, all relevant district policies and procedures, and the necessity to promptly forward all reports of sexual harassment to the Title IX coordinator. See sample procedure 2:265-AP1, *Title IX Sexual Harassment Response*.

¹⁵ Most school districts are not covered by Subpart C of Title IX, which “applies only to institutions of vocational education, professional education, graduate higher education, and public institutions of undergraduate higher education.” 34 C.F.R. §106.15(d). If your district is covered by Subpart C, amend this to state “applicants for admission or employment.”

¹⁶ 34 C.F.R. §106.8. See paragraph 2 of f/n 19 in sample policy 2:260, *Uniform Grievance Procedure*. See also sample exhibit 2:250-E2, *Immediately Available District Public Records and Web-Posted Reports and Records*.

¹⁷ Using “or any employee with whom the Complainant is comfortable speaking” ensures Title IX compliance because Title IX deems “any employee” of an elementary or secondary school who has notice of sexual harassment or allegations of sexual harassment to have *actual knowledge*. Therefore, a report to any employee triggers a district’s duty to respond. 34 C.F.R. §106.30. This policy contains an item upon which collective bargaining may be required. Any policy that impacts 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 Superintendent shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX Coordinator. ¹⁸

Title IX Coordinator:

Name

Address

Email

Telephone

Processing and Reviewing a Report or Complaint

Upon receipt of a report, the Title IX Coordinator and/or designee will promptly contact the *Complainant* to: (1) discuss the availability of supportive measures, (2) consider the *Complainant's* wishes with respect to *supportive measures*, (3) inform the *Complainant* of the availability of *supportive measures* with or without the filing of a *Formal Title IX Sexual Harassment Complaint*, and (4) explain to the *Complainant* the process for filing a *Formal Title IX Sexual Harassment Complaint*.¹⁹

Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it.²⁰ For any report received, the Title IX Coordinator shall review Board policies 2:260, *Uniform Grievance Procedure*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 5:120, *Employee Ethics; Conduct; and Conflict of Interest*; ²¹ 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:185, *Teen Dating Violence Prohibited*; and 7:190, *Student Behavior*, to determine if the allegations in the report require further action.

Reports of alleged sexual harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational program or activity that is productive, respectful, and free of sexual harassment.

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¹⁸ Title IX regulations require districts to designate and authorize at least one employee to coordinate its efforts to comply with Title IX and to refer to that employee as the *Title IX Coordinator*. 34 C.F.R. §106.8(a). Districts must identify the Title IX coordinator by name, office address, email address, and telephone number. *Id.* A district's nondiscrimination coordinator often also serves as its Title IX coordinator. See sample policy 2:260, *Uniform Grievance Procedure*.

While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

¹⁹ Required by 34 C.F.R. §106.44(a) and (b) regardless of whether a formal Title IX sexual harassment complaint is filed.

²⁰ See sample exhibit 2:265-E, *Title IX Sexual Harassment Glossary of Terms*, for a discussion of Title IX sexual harassment and non-Title IX sexual harassment. Consult the board attorney for further guidance.

²¹ See sample administrative procedure 5:120-AP2, *Employee Conduct Standards*.

Formal Title IX Sexual Harassment Complaint Grievance Process

When a *Formal Title IX Sexual Harassment Complaint* is filed, the Title IX Coordinator will investigate it or appoint a qualified person to undertake the investigation. ²²

The Superintendent or designee shall implement procedures to ensure that all *Formal Title IX Sexual Harassment Complaints* are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45.²³ The District's grievance process shall, at a minimum: ²⁴

1. Treat *Complainants* and *Respondents* equitably by providing remedies to a *Complainant* where the *Respondent* is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a *Respondent*.
2. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a *Complainant*, *Respondent*, or witness.
3. Require that any individual designated by the District as a Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process:
 - a. Not have a conflict of interest or bias for or against complainants or respondents generally or an individual *Complainant* or *Respondent*.
 - b. Receive training on the definition of sexual harassment, the scope of the District's *education program or activity*, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially. ²⁵

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²² This policy gives Title IX coordinators the flexibility to appoint another qualified individual to conduct an investigation. This may be appropriate when the neutrality or efficacy of the Title IX coordinator is an issue, and/or where the district wishes to have the expertise that an in-house or outside attorney may afford to an investigation. Alternative appointments are often made in consultation with the superintendent or other district-level administrator (except in cases involving complaints about those individuals) and the board attorney. If a complaint involves the superintendent or other district-level administrator, alternative appointments are often made in consultation with the board and the board attorney.

²³ 34 C.F.R. §106.45(b). See sample administrative procedures 2:265-AP1, *Title IX Sexual Harassment Response*, and 2:265-AP2, *Formal Title IX Sexual Harassment Complaint Grievance Process*.

²⁴ 34 C.F.R. §106.45(b)(1) lists the basic requirements for a grievance process. While live hearings are only required for postsecondary institutions, elementary and secondary schools may choose to offer them as part of their grievance process. **Consult the board attorney if the board wants the district to use a live hearing in its grievance process.**

If using a live hearing during the grievance process, amend #5 by inserting the following underscored text: "Require that any individual designated by the District as a decision-maker receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant."

²⁵ Aside from the general training requirements of 34 C.F.R. §106.45(b)(1)(iii), the DOE gives districts flexibility to determine certain training practices or techniques to best meet training requirements based upon their unique local conditions and resources within their educational community. 85 Fed. Reg. 30120. See also 85 Fed. Reg. 30084 (declining to specify that training of Title IX personnel must include implicit bias training, so long as training provides instruction on how to serve impartially and avoid prejudgment of the facts at issue, conflicts of interest, and bias, and that training materials avoid sex stereotypes).

4. Require that any individual designated by the District as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
5. Require that any individual designated by the District as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the *Complainant's* sexual predisposition or prior sexual behavior are not relevant.
6. Include a presumption that the *Respondent* is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. Include reasonably prompt timeframes for conclusion of the grievance process.
8. Describe the range of possible disciplinary sanctions and remedies the District may implement following any determination of responsibility.
9. Base all decisions upon the *preponderance of evidence* standard.²⁶
10. Include the procedures and permissible bases for the *Complainant* and *Respondent* to appeal.
11. Describe the range of *supportive measures* available to *Complainants* and *Respondents*.
12. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.²⁷

Enforcement

Any District employee who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any District student who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with

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²⁶ 34 C.F.R. §106.45(b)(1)(vii) requires the Title IX sexual harassment grievance process to state the standard of evidence it will use to determine responsibility of the respondent. The standard of evidence selected must be applied “consistently to formal complaints alleging Title IX sexual harassment regardless of whether the respondent is a student or an employee.” 85 Fed. Reg. 30373. This sample policy uses the *preponderance of the evidence* standard, not the *clear and convincing evidence* standard. *Preponderance of evidence* is a standard used in civil cases. It means “the greater weight of the evidence, not necessarily established by the greater number of witnesses testifying to a fact but by evidence that has the most convincing force.” See *Black’s Law Dictionary, 11th ed. 2019*. *Preponderance of the evidence* is the standard used in sample policy 2:260, *Uniform Grievance Procedure*. *Clear and convincing* is a higher standard, requiring more than *preponderance of the evidence* but less than proof beyond a reasonable doubt. It means “evidence indicating that the thing to be proved is highly probable or reasonably certain.” See *Black’s Law Dictionary, 11th ed. 2019*. **Consult the board attorney regarding the appropriate standard for the district, as well as implications if a different standard is used in this policy than in 2:260, *Uniform Grievance Procedure*.** For boards that choose the *clear and convincing evidence* standard, delete “~~preponderance of~~” and insert “*clear and convincing*.” Ensure the same standard of evidence is used in 2:265-AP2, *Formal Title IX Sexual Harassment Complaint Grievance Process*.

²⁷ Examples of legally-recognized privileges include attorney-client privilege, doctor-patient privilege, and spousal privilege. See 85 Fed. Reg. 30277.

student behavior policies.²⁸ Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.

This policy does not increase or diminish the ability of the District or the parties to exercise any other rights under existing law.²⁹

Retaliation Prohibited³⁰

The District prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Any person should report claims of retaliation using Board policy 2:260, *Uniform Grievance Procedure*.³¹

Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct, and Conflict of Interest), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior)

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²⁸ See sample policies 7:190, *Student Behavior*, and 7:230, *Misconduct by Students with Disabilities*. See also sample policies 7:200, *Suspension Procedures*, and 7:210, *Expulsion Procedures*, for due process requirements when student suspension or expulsion is recommended following a determination of responsibility for Title IX sexual harassment.

²⁹ Examples of rights the district or parties may exercise ancillary to this Title IX sexual harassment grievance procedure include, but are not limited to: disciplinary processes for suspensions and expulsions of students under 105 ILCS 5/10-22.6; tenured teacher dismissal proceedings under 105 ILCS 5/24-12; any other pre-termination process required by an applicable collective bargaining agreement, employment policy or procedure, or employment contract; and student appeal of a sex equity grievance decision under 23 Ill. Admin. Code §200.40 (see sample policy 7:10, *Equal Educational Opportunities*).

³⁰ 34 C.F.R. §106.71.

³¹ Retaliation complaints must be processed under policy 2:260, *Uniform Grievance Procedure*, because they are covered under the district's grievance procedure for resolving non-sexual harassment Title IX complaints. See 34 C.F.R. §106.8(c). Title IX sexual harassment regulations state that "[c]omplaints alleging retaliation may be filed according to the grievance procedures for sex discrimination required to be adopted under §106.8(c)." 34 C.F.R. §106.71.

General Personnel

Equal Employment Opportunity and Minority Recruitment 1

The School District shall provide equal employment opportunities² to all persons regardless of their race; color; creed; religion;³ national origin; sex;⁴ sexual orientation;⁵ age;⁶ ancestry; marital status;⁷

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

² *Equal employment opportunities* apply to virtually all terms and conditions of employment, e.g., discharge, hire, promotion, pay, demotion, and benefits (see the policy's Legal References). The Ill. Constitution protects the following categories from discrimination in employment: race, color, creed, national ancestry, sex, and handicap. Art. I, §§17, 18, and 19. The Ill. Human Rights Act (IHRA) protects the following categories from discrimination in employment, whether *actual* or *perceived*: race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, order of protection status, sexual orientation, pregnancy, unfavorable discharge from military service, and citizenship status. 775 ILCS 5/1-102 and 5/1-103, amended by P.A. 101-221, ~~eff. 1-1-20~~. Beginning 7-1-20, the IHRA requires employers to annually disclose to the Ill. Dept. of Human Rights (IDHR) certain information about adverse judgments and administrative rulings where there was a finding of sexual harassment or unlawful discrimination under any federal, State, or local law, as well as data regarding settlement agreements, if requested by an IDHR investigator. 775 ILCS 5/2-108, added by P.A. 101-221, ~~eff. 1-1-20~~ and scheduled to be repealed on 1-1-30.

The Equal Employment Opportunities Act (EEOA, a/k/a Title VII of the Civil Rights Act of 1964) prohibits discrimination because of an individual's race, color, religion, sex, or national origin. 42 U.S.C. §2000e *et seq.*, amended by The Lilly Ledbetter Fair Pay Act of 2009 (LLFPA), Pub.L. 111-2.

Under the Workplace Transparency Act (WTA) (820 ILCS 96/, added by P.A. 101-221, ~~eff. 1-1-20~~), employers may not, as a condition of employment or continued employment, prevent prospective or current employees from making truthful statements or disclosures about alleged unlawful employment practices, including discrimination. *Id.* at 96/1-25.

The LLFPA clarifies that a discriminatory compensation decision or other practice occurs each time an employee is paid or receives a last benefits check pursuant to the discriminatory compensation decision as opposed to only from the time when the discriminatory compensation decision or other practice occurred. The Act has no legislative history available to define what the phrase *or other practice* might mean beyond a discriminatory compensation decision.

The Ill. Equal Pay Act of 2003 (EPA) offers additional protection by prohibiting the payment of wages to one sex less than the opposite sex or to an African-American less than a non-African-American *for the same or substantially similar work*. 820 ILCS 112/, amended by P.A.s 100-1140 and 101-177. The Ill. Dept. of Labor (IDOL) enforces the EPA. The EPA also prohibits employers from requesting or requiring applicants to disclose wage or salary history as a condition of being considered for employment or as a condition of employment. *Id.* at 112/10(b-5), added by P.A. 101-177. If an applicant voluntarily offers such information without prompting, an employer still cannot use that information in making an offer or determining future pay. See [sample administrative procedure 5:30-AP1, Interview Questions](#), for sample permissible inquiries on this topic. Employers may seek wage or salary history from an applicant's current or former employer if that information is a matter of public record under the Freedom of Information Act; however, districts that wish to undertake such searches should exercise caution; the fact a district seeks out publicly available wage information could still be used against it in a pay discrimination claim. *Id.* at 112/10(b-10), added by P.A. 101-177. Consult the board attorney for further guidance.

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

³ 775 ILCS 5/2-102 of the IHRA, amended by P.A. 100-100, contains a ~~new~~ *religious discrimination* subsection. It expressly prohibits employers from requiring a person to violate a sincerely held religious belief to obtain or retain employment unless, after engaging in a bona fide effort, the employer demonstrates that it is unable to reasonably accommodate the employee's or prospective employee's sincerely held religious belief, practice, or observance without undue hardship on the conduct of the employer's business. Religious beliefs include, but are not limited to: the wearing of any attire, clothing, or facial hair in accordance with the requirements of his/her religion. 775 ILCS 5/2-102(E-5). Employers may, however, enact a dress code or grooming policy that restricts attire, clothing, or facial hair to maintain workplace safety or food sanitation. *Id.*

In addition to the IHRA and the federal EEOA (discussed in f/n 2), see 775 ILCS 35/, Religious Freedom Restoration Act.

arrest record;⁸ military status; order of protection status;⁹ unfavorable military discharge;¹⁰ citizenship status provided the individual is authorized to work in the United States;¹¹ use of lawful products while not at work;¹² being a victim of domestic violence, sexual violence, or gender violence;¹³ genetic information;¹⁴ physical or mental handicap or disability, if otherwise able to

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⁴ [Discrimination on the basis of sex under the EEOA includes discrimination on the basis of sexual orientation or transgender status. *Bostock v. Clayton County*, 140 S.Ct. 1731 \(2020\); *Hively v. Ivy Tech*, 853 F.3d 339 \(7th Cir. 2017\).](#) In addition to the IHRA and the federal EEOA (discussed in f/n 2), see Title IX of the Education Amendments of 1972 ([Title IX](#)). 20 U.S.C. §1681 *et seq.*; [34 C.F.R. Part 106](#). See [sample policy 2:265, Title IX Sexual Harassment Grievance Procedure](#). The federal Equal Pay Act prohibits an employer from paying persons of one sex less than the wage paid to persons of the opposite sex for equal work. 29 U.S.C. §206(d). See f/n 2 above for more information on State equal pay protections, including on the basis of sex. The LLFPA defines *date of underpayment* as each time wages are underpaid. Employees have one year from the time they become aware of the underpayment to file a complaint with the IDOL. 820 ILCS 112/15(b).

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

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

⁷ 105 ILCS 5/10-22.4 and 775 ILCS 5/1-103(Q), amended by P.A. 101-221, ~~eff. 1-1-20~~. The term *marital status* means an individual's legal status of being married, single, separated, divorced, or widowed. 775 ILCS 5/1-103(J). This statutory definition does not encompass the identity of one's spouse. Thus, school districts may adopt no-spouse policies. [Boaden v. Dept. of Law Enforcement](#), 171 Ill.2d 230 (Ill. 1996).

⁸ Districts may not make employment decisions on the basis of arrest history, but may use job-disqualifying criminal convictions. 775 ILCS 5/2-103. The Job Opportunities for Qualified Applicants Act prohibits an employer from asking about a criminal record until the employer determines that the applicant is qualified for the position; however, this does not apply when employers are required to exclude applicants with certain criminal convictions from employment. School employers should limit their requests for criminal convictions to *job-disqualifying* convictions. 820 ILCS 75/15. See also the EEOC's guidance, [Consideration of Arrest and Conviction Records in Employment Decisions](#), at: www.eeoc.gov/laws/guidance/arrest_conviction.cfm.

⁹ 775 ILCS 5/1-103(Q), amended by P.A. 101-221, ~~eff. 1-1-20~~. The term *order of protection status* means a person protected under an order of protection issued pursuant to the Ill. Domestic Violence Act of 1986 or an order of protection issued by a court of another state. 775 ILCS 5/1-103(K-5).

¹⁰ *Military status* means a person's status on active duty or in status as a veteran in the U.S. Armed Forces, veteran of any reserve component of U.S. Armed Forces, or current member or veteran of the Ill. Army National Guard or Ill. Air National Guard. 775 ILCS 5/1-103(J-1). *Unfavorable military discharge* does not include those characterized as RE-4 or *dishonorable*. 775 ILCS 5/1-103(P). The Uniformed Services Employment and Reemployment Rights Act of 1994 prohibits employers from discriminating or retaliating against any person for reasons related to past, present, or future service in a *uniformed service*. 38 U.S.C. §4301 *et seq.*

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

¹² The Right to Privacy in the Workplace Act prohibits discrimination based on use of lawful products, e.g., alcohol, cannabis, and tobacco, off premises during non-working hours. 820 ILCS 55/5, amended by P.A. 101-27.

¹³ 820 ILCS 180/30, amended by P.A. 101-221, ~~eff. 1-1-20~~, Victims' Economic Security and Safety Act. *Gender violence* means: (1) one or more acts of violence or aggression that are a criminal offense under State law committed, at least in part, on the basis of a person's actual or perceived sex or gender, (2) a physical intrusion or invasion of a sexual nature under coercive conditions that is a criminal offense under State law, or (3) a threat to commit one of these acts. 820 ILCS 180/10(12.5), added by P.A. 101-221, ~~eff. 1-1-20~~. An employer is prohibited from discriminating against any individual, e.g. an applicant for employment, because he or she "is an employee whose employer is subject to Section 21 of the Workplace Violence Prevention Act." The Workplace Violence Prevention Act allows an employer to seek a *workplace protection restraining order* when there is a credible threat of violence at the workplace. 820 ILCS 275/. Section 21 requires the employer seeking a *workplace protection restraining order* to notify the employee who is a victim of unlawful violence. 820 ILCS 275/21.

perform the essential functions of the job with reasonable accommodation;¹⁵ pregnancy, childbirth, or related medical conditions;¹⁶ credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position;¹⁷ or other legally protected categories.^{18 19 20}

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¹⁴ Illinois' Genetic Information Privacy Act (GIPA) (410 ILCS 513/25) and Title II of Genetic Information Nondiscrimination Act (GINA) (42 U.S.C. §2000ff *et seq.*). Both laws protect job applicants and current and former employees from discrimination based on their genetic information. Note that GIPA provides greater protections to Illinois employees than Title II of GINA. GIPA, amended by P.A. 100-396, prohibits employers from penalizing employees who do not disclose genetic information or do not choose to participate in a program requiring disclosure of the employee's genetic information. See f/n 12 in [sample policy 2:260, Uniform Grievance Procedure](#), for the definition of genetic information and a detailed description of both statutes, including of Title I of GINA affecting the use of genetic information in health insurance. In 2011, the EEOC published an informative guidance letter, *ADA & GINA: Incentives for Workplace Wellness Program* at: www.eeoc.gov/eeoc/foia/letters/2011/ada_gina_incentives.html. But the EEOC vacated certain 2016 ADA and GINA wellness program regulations following an adverse court ruling. 83 Fed. Reg. 65296. Those rules provided guidance to employers on the extent to which they could use incentives (such as discounted health plan costs) to encourage employees to participate in wellness programs that asked for employee and family health information. Consult the board attorney for guidance regarding specific application of ADA and GINA and how they integrate with other related laws, e.g., the Family Medical Leave Act, the Americans with Disabilities Act, and other State laws governing time off for sickness and workers' compensation.

¹⁵ Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12101 *et seq.*), amended by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) (Pub. L. 110-325) and modified by the LLFPA; Rehabilitation Act of 1973 (29 U.S.C. §701 *et seq.*).

¹⁶ 775 ILCS 5/2-102(I). Employers must provide reasonable accommodations to employees with conditions related to pregnancy, childbirth, or related conditions. 775 ILCS 5/2-102(J). Employers are required to post a notice summarizing the right to be free from unlawful discrimination and the right to certain reasonable accommodations. 775 ILCS 5/2-102(K). The IDOL is required to prepare such a notice, retrievable from its website, which employers may use.

Federal law also prohibits employers from discriminating against employees and applicants on the basis of pregnancy, childbirth, or related medical conditions. 42 U.S.C. §2000e(k). State law also prohibits the State, which includes school districts, from interfering with or discriminating against an individual's fundamental right to continue a pregnancy or to have an abortion. 775 ILCS 55/, added by P.A. 101-13. Pregnant workers with pregnancy-related impairments may have disabilities for which they may be entitled to reasonable accommodation under the ADA. Guidance from the EEOC (7-14-14) is available at: www.eeoc.gov/laws/guidance/pregnancy_qa.cfm.

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

¹⁸ Insert the following optional sentence (775 ILCS 5/1-103(a) and 29 U.S.C. §631):

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

¹⁹ Insert the following optional provision (29 U.S.C. §705(10)(A)-(B), (20)(C)(v), (20)(D) and 42 U.S.C. §12114):

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

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

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

²¹ No one will be penalized solely for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/. ²²

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the Uniform Grievance Procedure. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information. ²³

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²⁰ Districts may not make residency in the district a condition of employment for teachers or educational support personnel. 105 ILCS 5/24-4.1, 5/10-23.5. This ban on residency requirements for teachers applies only to instructional personnel, and not, for example, to assistant principals. *Owen v. Kankakee Sch. Dist.*, 261 Ill.App.3d 298 (3rd Dist. 1994). Districts also may not ask an applicant, or the applicant's previous employer, whether the applicant ever received, or filed a claim for, benefits under the Workers' Compensation Act or Workers' Occupational Diseases Act. 820 ILCS 55/10(a). Districts are also prohibited from requiring, requesting, or coercing an employee or potential employee to provide a user name and password or any password or other related account information to gain or demand access to his or her personal online account. 820 ILCS 55/10(b). While the law does not prohibit employers from viewing public information, consult the board attorney before engaging in this practice.

²¹ School districts must accommodate mothers who choose to continue breastfeeding after returning to work. See 740 ILCS 137/, Right to Breastfeed Act; 820 ILCS 260/, amended by P.A. 100-1003, Nursing Mothers in the Workplace Act (NMWA); and 29 U.S.C. §207(r), Fair Labor Standards Act. At least one court has ruled an implied private right of action may exist under the NMWA. *Spriessch v. City of Chicago*, 2017 WL 4864913 (N.D.Ill. 2017). See sample language for a personnel handbook in 5:10-AP, *Workplace Accommodations for Nursing Mothers*.

²² 410 ILCS 130/40, amended by P.A. 101-363, ~~eff. 1-1-20~~ and scheduled to be repealed on 7-1-20; 77 Ill.Admin.Code Part 946. To legally use medical cannabis, an individual must first become a *registered qualifying patient*. Their use of cannabis, e.g. permissible locations, is governed by the Compassionate Use of Medical Cannabis Program Act. 410 ILCS 130/, amended by P.A.s 100-660 and 101-363, ~~eff. 1-1-20~~. There are many situations in which no one, even a registered qualifying patient, may possess or use cannabis except as provided under *Ashley's Law* (105 ILCS 5/22-33, added by P.A. 100-660), including in a school bus or on the grounds of any preschool, or primary or secondary school. 410 ILCS 130/30(a)(2)(3), amended by P.A. 100-660. See sample policy 5:50, *Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition*, at f/n 9 for further discussion.

²³ 775 ILCS 5/6-101. Discrimination on the basis of a request for or use of a reasonable accommodation is a civil rights violation under the IHRA. *Id.* Most discrimination laws prohibit retaliation against employees who oppose practices made unlawful by those laws, including, for example, the EEOA, Title IX, ADA, ADEA, Victims' Economic Security and Safety Act, the EPA, and the Ill. Whistleblower Act (IWA).

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

The Ill. False Claims Act defines *State* to include school districts. 740 ILCS 175/2(a). Thus, boards may seek a penalty from a person for making a false claim for money or property. 740 ILCS 175/4. For information regarding the IWA and the tort of retaliatory discharge. See *Thomas v. Guardsmark*, 487 F.3d 531 (7th Cir. 2007)(discussing the elements of retaliatory discharge and IWA); *Sherman v. Kraft General Foods, Inc.*, 272 Ill.App.3d 833 (4th Dist. 1995)(finding employee who reported asbestos hazard had a cause of action for retaliatory discharge).

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager for the Uniform Grievance Procedure. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. ²⁴

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

25

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

²⁴ The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator," insert a hard return to create a new paragraph, and insert "The Superintendent shall appoint a Title IX Coordinator to coordinate the District's efforts to comply with Title IX." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.

²⁵ Title IX regulations require districts to identify the name, address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. The U.S. Dept. of Education's Office for Civil Rights prefers that school districts make Title IX information and coordinators visible to the community, and it has provided materials designed to remind schools of their obligation to designate a Title IX coordinator. These materials include: (a) a *Dear Colleague Letter on Title IX Coordinators*; (b) a *Letter to Title IX Coordinators* that provides them with more information about their role; and (c) a *Title IX Resource Guide* that includes an overview of Title IX's requirements with respect to several key issues. See www2.ed.gov/policy/rights/guid/ocr/title-ix-coordinators.html. Title IX regulations require districts to designate and authorize at least one employee to coordinate their efforts to comply with Title IX and to refer to that employee as the *Title IX Coordinator*. 34 C.F.R. §106.8(a). Districts must identify the Title IX Coordinator by name, office address, email address, and telephone number. *Id.* See f/n 19 in sample policy 2:260, *Uniform Grievance Procedure*.

While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

Nondiscrimination Coordinator: 26

Name

Address

Email

Telephone

Complaint Managers:

_____ Name	_____ Name
_____ Address	_____ Address
_____ Email	_____ Email
_____ Telephone	_____ Telephone

The Superintendent shall also use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as, by posting required notices and including this policy in the appropriate handbooks. 27

Minority Recruitment 28

The District will attempt to recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however,

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26 ~~Sample policy 2:260, *Uniform Grievance Procedure*, states that a district's Nondiscrimination Coordinator also serves as its Title IX Coordinator.~~ Best practice is that throughout the district's board policy manual, the same individual be named as Nondiscrimination Coordinator. In contrast, Complaint Managers identified in individual policies may vary depending upon local district needs.

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

28 All districts must have a policy on minority recruitment. 105 ILCS 5/10-20.7a. Unlike minority recruitment efforts, affirmative action plans are subject to significant scrutiny because of the potential for reverse discrimination. The U.S. Constitution's guarantee of equal protection prohibits school districts from using racial hiring quotas without evidence of past discrimination. See 29 C.F.R. §1608.1 *et seq.* (EEOC's guidelines for affirmative action plans); Wygant v. Jackson Bd. of Ed., 476 U.S. 267 (1986) (The goal of remedying societal discrimination does not justify race-based layoffs.); City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989) (Minority contractor quota struck; quotas must be narrowly tailored to remedy past discrimination and the city failed to identify the need for remedial action and whether race-neutral alternatives existed.).

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

does not require or permit the District to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

- LEGAL REF.: 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972;
~~implemented by~~ 34 C.F.R. Part 106.
29 U.S.C. §206(d), Equal Pay Act.
29 U.S.C. §621 et seq., Age Discrimination in Employment Act.
29 U.S.C. §701 et seq., Rehabilitation Act of 1973.
38 U.S.C. §4301 et seq., Uniformed Services Employment and Reemployment Rights Act (1994).
42 U.S.C. §1981 et seq., Civil Rights Act of 1991.
42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964;
~~implemented by~~ 29 C.F.R. Part 1601.
42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act of 2008.
42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964.
42 U.S.C. §2000e(k), Pregnancy Discrimination Act.
42 U.S.C. §12111 et seq., Americans with Disabilities Act, Title I.
Ill. Constitution, Art. I, §§17, 18, and 19.
105 ILCS 5/10-20.7, 5/20.7a, 5/21.1, 5/22.4, 5/23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.
410 ILCS 130/40, Compassionate Use of Medical Cannabis Program Act.
410 ILCS 513/25, Genetic Information Privacy Act.
740 ILCS 174/, Ill. Whistleblower Act.
775 ILCS 5/1-103, 5/2-102, 103, and 5/6-101, Ill. Human Rights Act.
775 ILCS 35/5, Religious Freedom Restoration Act.
820 ILCS 55/10, Right to Privacy in the Workplace Act.
820 ILCS 70/, Employee Credit Privacy Act.
820 ILCS 75/, Job Opportunities for Qualified Applicants Act.
820 ILCS 112/, Ill. Equal Pay Act of 2003.
820 ILCS 180/30, Victims' Economic Security and Safety Act.
820 ILCS 260/, Nursing Mothers in the Workplace Act.
- CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment, At-Will, Compensation, and Assignment), 5:300 (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

General Personnel

Workplace Harassment Prohibited 1

The School District expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual's actual or perceived race, color, religion², national origin, ancestry, sex, sexual orientation, age, citizenship status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other protected status identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Harassment of students,

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¹ State or federal law controls this policy's content. Federal law requires districts to take action to prevent sexual harassment and to disseminate a policy regarding its prohibition of sex discrimination. 29 C.F.R. §1604.11(f); 34 C.F.R. §106.8(b)⁹. State law requires districts to establish a policy to prohibit sexual harassment. 5 ILCS 430/70-5(a), amended by P.A.s 100-554 and 101-221. See ¶n 3 below. Harassment based on a protected status is a form of discrimination that violates many State and federal laws (see the policy's Legal References).

Workplace harassment policies have typically focused on *sexual* harassment since it receives the most attention. However, the broad prohibitions against discrimination in State and federal civil rights laws will cover harassing conduct that is motivated by animus against any protected status. See *Porter v. Erie Foods International, Inc.*, 576 F.3d 629 (7th Cir. 2009) (recognizing a cause of action for race harassment). For a list of protected statuses, see sample policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. This policy prohibiting harassment has a separate section on sexual harassment because of the extensive statutory and case law regarding it.

Under the Ill. Human Rights Act (IHRA), harassment is unlawful if it has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. 775 ILCS 5/2-101(E-1), added by P.A. 101-221, ~~eff. 1-1-20~~. *Working environment* is not limited to a physical location to which an employee is assigned. *Id.* Harassment is unlawful on the basis of the specifically-listed categories in this policy whether that status is *actual or perceived*. *Id.*

An employer is liable under Title VII of the Civil Rights Act of 1964 (Title VII) for an employee's harassment of a co-worker if the employer was negligent with respect to the offensive behavior by, for example, failing to take remedial action when it knew or should have known about the harassment. 42 U.S.C. §2000e et seq. An employer is liable under the IHRA for harassment by its nonmanagerial and nonsupervisory employees if it becomes aware of the conduct and fails to take reasonable corrective measures. 775 ILCS 5/2-102(A), amended by P.A. 101-221, ~~eff. 1-1-20~~. However, when the perpetrator is the victim's supervisor, the employer will be vicariously liable for the supervisor's actions. Lack of knowledge of a supervisor's misconduct is no defense. *Burlington Industries v. Ellerth*, 524 U.S. 742 (1998); *Faragher v. City of Boca Raton*, 524 U.S. 775 (1998). A *supervisor* is someone who has the authority to demote, discharge, or take other negative job action against the victim. *Vance v. Ball State University*, 133 S.Ct. 2434 (2013). Note that the IHRA, (775 ILCS 5/2-102(D)) imposes strict liability on the employer when an employee has been sexually harassed by supervisory personnel regardless of whether the harasser has any authority over the complainant. *Sangamon County Sheriff's Dept. v. Ill. Human Rights Com'n*, 233 Ill.2d 125 (Ill. 2009). Additionally, under the IHRA, an employer is liable for the harassment of *nonemployees* by nonmanagerial and nonsupervisory employees if it becomes aware of the conduct and fails to take reasonable corrective measures. 775 ILCS 5/2-102(A-10) and (D-5), added by P.A. 101-221, ~~eff. 1-1-20~~. Nonemployees are those who are directly performing services for an employer pursuant to a contract, such as contractors or consultants. *Id.*

Not all harassing conduct is unlawful discrimination, even if it is disruptive and hurtful. If a board wants to include language in this policy prohibiting employees from engaging in intimidating or offensive conduct that is *not* a civil rights violation, it should consult the board attorney.

² Section 2-102 of the IHRA, amended by P.A. 100-100, contains a *religious discrimination* subsection. It expressly prohibits employers from requiring a person to violate a sincerely held religious belief to obtain or retain employment unless, after engaging in a bona fide effort, the employer demonstrates that it is unable to reasonably accommodate the employee's or prospective employee's sincerely held religious belief, practice, or observance without undue hardship on the conduct of the employer's business. Religious beliefs include, but are not limited to: the wearing of any attire, clothing, or facial hair in accordance with the requirements of his/her religion. 775 ILCS 5/2-102(E-5). Employers may, however, enact a dress code or grooming policy that restricts attire, clothing, or facial hair to maintain workplace safety or food sanitation. *Id.*

including, but not limited to, sexual harassment, is prohibited by Board policies [2:260, Uniform Grievance Procedure: 2:265, Title IX Sexual Harassment Grievance Procedure: 7:20, Harassment of Students Prohibited: 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment; and 7:185, Teen Dating Violence Prohibited.](#)

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

Sexual Harassment Prohibited³

The ~~School~~ District shall provide a workplace environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. The District provides annual sexual harassment prevention training in accordance with State law.⁴

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection

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³ The IHRA (775 ILCS 5/2-102(D)) provides that sexual harassment is a civil rights violation: For any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment; provided, that an employer shall be responsible for sexual harassment of the employer's employees by non-employees or non-managerial and non-supervisory employees only if the employer becomes aware of the conduct and fails to take reasonable corrective measures.

See sample policy 2:265, Title IX Sexual Harassment Grievance Procedure, for the definition of Title IX sexual harassment (20 U.S.C. §1681 et seq.), and see f/n 3 of it for examples of employee sexual harassment that may violate Title IX. Title IX's reach is broad because an alleged complainant or alleged respondent may be anyone in the district's educational program or activity. This includes applicants for employment, students, parents/guardians, any employee, and third parties. Districts are liable for Title IX sexual harassment when any district employee has actual knowledge of sexual harassment or allegations of sexual harassment against anyone in the district (except when the only employee with knowledge is the perpetrator of the alleged sexual harassment). 34 C.F.R. §106.30.

The State Officials and Employees Ethics Act (SOEEA) (5 ILCS 430/70-5(a), amended by P.A.s 100-554 and 101-221) requires governmental entities (including school districts) to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment. Unlike 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.

The policy must include, at a minimum: (1) a prohibition on sexual harassment; (2) details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Ill. Dept. of Human Rights (IDHR); (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the SOEEA, the Whistleblower Act (740 ILCS 174/), and the IHRA (775 ILCS 5/); (4) the consequences: (a) of a violation of the prohibition on sexual harassment and (b) for knowingly making a false report; and (5) a mechanism for reporting and independent review of allegations of sexual harassment made against an elected official of the governmental unit by another elected official of a governmental unit. 5 ILCS 430/70-5(a), amended by P.A.s 100-554 and 101-221. *PSample policy 2:105, Ethics and Gift Ban,* covers item (5) of this list.

⁴ 775 ILCS 5/2-109, added by P.A. 101-221, ~~eff. 1-1-20~~. See *sample policy 5:100, Staff Development Program*, at f/n 4. Districts may use a free, online model program to be offered by the Ill. Dept. of Human Rights (IDHR), develop their own program, or utilize a combination of the two, as long as it includes the following, at a minimum: (1) an explanation of sexual harassment consistent with the IHRA, (2) examples of conduct that constitutes unlawful harassment, (3) a summary of relevant federal and State law concerning sexual harassment and remedies available to victims of sexual harassment, and (4) a summary of responsibilities of employers in the prevention, investigation, and corrective measures of sexual harassment. *Id.* at 5/2-109(B), added by P.A. 101-221, ~~eff. 1-1-20~~. For IDHR's online model program, see its *Model Sexual Harassment Prevention Training Program* page at: <https://www2.illinois.gov/dhr/Training/Pages/State-of-Illinois-Sexual-Harassment-Prevention-Training-Model.aspx>. Employers that fail to comply with this training requirement may face financial penalties. *Id.* Training on other types of workplace harassment is not required by law; however it is best practice.

of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.⁵ Sexual harassment prohibited by this policy includes, but is not limited to, verbal, physical, or other conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Report or Complaint

Employees and *nonemployees*⁶ (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with the District, including contractors, and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual's same gender. Every effort should be made to file such reports or complaints as soon as possible, while facts are known and potential witnesses are available.

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⁵ This definition is from State and federal law. 775 ILCS 5/2-101(E) and 29 C.F.R. §1604.11. *Working environment* is not limited to a physical location to which an employee is assigned. 775 ILCS 5/2-101(E), amended by P.A. 101-221-~~eff. 1-1-20~~. The harassing conduct must be severe or pervasive so as to alter the conditions of the employee's work environment by creating a hostile or abusive situation. *Williams v. Waste Management*, 361 F.3d 1021 (7th Cir. 2004). The surrounding circumstances, expectations, and relationships will distinguish between teasing or rough-housing and conduct that a reasonable person would find severely hostile or abusive. In addition, while same-sex gender harassment claims are actionable, the victim must show that s/he suffered disadvantageous employment conditions to which members of the other sex were not exposed. *Oncale v. Sundowner Offshore Services*, 523 U.S. 75 (1998).

⁶ 775 ILCS 5/2-102(A-10) and (D-5), added by P.A. 101-221. See also f/n 1, above, for discussion regarding nonemployees.

Aggrieved individuals, if they feel comfortable doing so, should directly inform the person engaging in the harassing conduct or communication that such conduct or communication is offensive and must stop.

Whom to Contact with a Report or Complaint ⁷

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager. ⁸

Employee may also report claims using Board policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the ~~complaint~~ claim according to that policy, in addition to any response required by this policy.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. ⁹

Nondiscrimination Coordinator:

Name

Address

Email

Telephone

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

⁷ ~~While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored. Title IX regulations require districts to identify the name, address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. A policy should not be adopted with a person's name in it; rather, the identifying information can be added and amended as necessary.~~

⁸ 5 ILCS 430/70-5(a), amended by P.A. 100-554, requires that a school board policy prohibiting sexual harassment include details for reporting an allegation of sexual harassment, including options for making a confidential report to a supervisor and an ethics officer. 5 ILCS 430/20-23 defines *ethics officers* as being designated by State agencies under the jurisdiction of the Executive Ethics Commission. School districts are not State agencies (5 ILCS 430/1-5) and do not have ethics officers; thus, this sample policy substitutes Complaint Manager for ethics officer. Note also that the IDHR has established a Sexual Harassment Hotline Call Center and website to help the public find resources and assistance for the filing of sexual harassment complaints. The hotline can be reached Monday through Friday with the exception of State holidays, between the hours of 8:30 a.m. and 5:00 p.m., at 1-877-236-7703. See www2.illinois.gov/sites/sexualharassment/Pages/default.aspx. All communications received by the IDHR are exempt from disclosure under the Freedom of Information Act (FOIA).

⁹ ~~Title IX regulations require districts to identify the name, office address, email address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator." and supplement the previous sentence to state "The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.~~

Complaint Managers:

_____	_____
Name	Name
_____	_____
Address	Address
_____	_____
Email	Email
_____	_____
Telephone	Telephone

Investigation Process

~~Supervisors, Building Principals, or administrators~~ Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager.¹⁰ ~~Any employee-supervisor or administrator~~ who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District’s duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment. ~~The District shall investigate alleged workplace harassment when the Nondiscrimination Coordinator or a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.~~

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee¹¹ shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged workplace harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policy 2:260, *Uniform Grievance Procedure*, and/or 5:120, *Employee Ethics; Conduct, and Conflict of Interest*,¹² should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel¹³

An alleged incident of sexual abuse is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor

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¹⁰ If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state “Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator, Title IX Coordinator, or a Complaint Manager.”

¹¹ “Nondiscrimination Coordinator or designee” is used where Title IX is potentially implicated. In contrast, if Title IX is likely not implicated then “Nondiscrimination Coordinator or a Complaint Manager or designee” is used (see next paragraph in policy text). If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, delete “Nondiscrimination” and insert “Title IX” in its place.

¹² See administrative procedure 5:120-AP2, *Employee Conduct Standards*.

¹³ Required for districts located within a county served by an accredited Children’s Advocacy Center (CAC). Delete this subhead if your school district is within a county not served by an accredited CAC. 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-531 (governing the investigation of an alleged incident of sexual abuse of any child within any Illinois counties served by a CAC). For further discussion see f/n 14 in sample policy 5:90, *Abused and Neglected Child Reporting*.

or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement¹⁴

A violation of this policy by an employee may result in discipline, up to and including discharge.¹⁵ A violation of this policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, i.e.g., vendor, parent, invitee, etc. Any person~~employee~~ making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee that may be up to and including discharge.¹⁶

Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/).¹⁷

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¹⁴ See *Berry v. Delta Airlines*, 260 F.3d 803, 811 (7th Cir. 2001) ("If an employer takes reasonable steps to discover and rectify the harassment of its employees ... it has discharged its legal duty.")

In addition to violating other civil rights laws, a school district violates the *public accommodations* article in the IHRA if it fails to take corrective action to stop severe or pervasive harassment. 775 ILCS 5/5-102 and 5/5-102.2.

¹⁵ 5 ILCS 430/70-5(a), amended by P.A. 100-554 (consequences of a violation of the prohibition on sexual harassment). When discharge is the penalty, examine 50 ILCS 205/3c, added by P.A. 100-1040. It requires a school district to post on its website and make available to news media specific information about severance agreements that it enters into because an employee or contractor was found to have engaged in sexual harassment or sexual discrimination, as defined by the IHRA or Title VII. *Id.* Additionally, under the Workplace Transparency Act (WTA), employers may not require confidentiality clauses in settlement or termination agreements involving alleged unlawful employment practices under federal or State civil rights laws, except under specific conditions. 820 ILCS 96/1-30, added by P.A. 101-221, ~~eff. 1-1-20~~.

Prior to the passage of 50 ILCS 205/3c, added by P.A. 100-1040, and the WTA, members of the public could already access copies of severance agreements between school districts and their former employees under FOIA. The Ill. Atty. Gen. Public Access Counselor (PAC) directed a public body to release a settlement agreement that arose out of claims of sexual harassment. PAO 14-4. The PAC noted that the public body could not withhold the entire settlement agreement under 5 ILCS 140/7(1)(c), which exempts personal information that would constitute a clearly unwarranted invasion of privacy. Instead, it could redact personal information from the agreement, such as the complainants' names in order to protect their privacy. *Id.* However, data regarding settlement agreements involving allegations of sexual harassment or other unlawful discrimination that an employer must report to IDHR under 775 ILCS 5/2-108 is categorically exempt from FOIA. 5 ILCS 140/7.5(oo), added by P.A. 101-221, ~~eff. 1-1-20~~. See f/n 6 in [sample policy 2:260, Uniform Grievance Procedure](#), for more discussion about reconciling 50 ILCS 205/3c, added by P.A. 100-1040, with another new law, the Government Severance Pay Act (GSPA) (5 ILCS 415/10(a)(1), added by P.A. 100-895), which prohibits school district employees with contract provisions for severance pay to receive any severance pay if they are fired for *misconduct* by the board.

¹⁶ 5 ILCS 430/70-5(a), amended by P.A. 100-554 (consequences for knowingly making a false report of sexual harassment).

¹⁷ *Id.* (prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the SOEEA, the Whistleblower Act (740 ILCS 174/), and the IHRA (775 ILCS 5/)).

Crawford v. Metro. Gov't of Nashville & Davidson County, 555 U.S. 271 (2009) (holding the anti-retaliation provision in EEOA protects an employee who spoke out about harassment, not only on his or her own initiative, but also in answering questions during an employer's internal investigation).

Commented [MB1]: Formerly footnote 9.

Commented [MB2]: Formerly footnote 10.

Commented [MB3]: Formerly footnote 11.

Commented [MB4]: Formerly footnote 12.

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

Recourse to State and Federal Fair Employment Practice Agencies ¹⁸

The District encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U.S. Equal Employment Opportunity Commission.

The Superintendent shall also use reasonable measures to inform staff members, applicants, and nonemployees of this policy, which shall include posting on the District website and/or making this policy available in the District's administrative office, and including this policy in the appropriate handbooks. ¹⁹

Commented [MB5]: Formerly footnote 13.

Commented [MB6]: Formerly footnote 14.

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¹⁸ 5 ILCS 430/70-5(a), amended by P.A. 100-554, (how an individual can report an allegation of sexual harassment, including options for making a confidential report to the Inspector General or the IDHR). This sample policy does not reference the Inspector General because the Inspector General does not have jurisdiction over public school districts. 5 ILCS 430/1. School districts must also annually disclose to IDHR certain data about *adverse judgment or administrative rulings* made against them where there was a finding of sexual harassment or unlawful discrimination under federal, State, or local laws. 775 ILCS 5/2-108, added by P.A. 101-221, ~~eff. 1-1-20~~.

¹⁹ A district must notify employees of the grievance procedure and the person(s) designated to coordinate the district's compliance with Title IX. 34 C.F.R. §106.8(a). The nondiscrimination coordinator can be the same individual for both this policy and policy 7:10, *Equal Educational Opportunities*, as well as the complaint manager in policy 2:260, *Uniform Grievance Procedure*. A comprehensive faculty handbook can provide required notices, along with other important information to recipients. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board. Any *working conditions* contained in the handbook may be subject to mandatory collective bargaining.

Informing nonemployees is not required by law. However, given the potential for employer liability under the IHRA for harassment of nonemployees, best practice is to publicize this policy to those individuals as well.

LEGAL REF.: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.; ~~implemented by~~
29 C.F.R. §1604.11.
Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq.; ~~implemented~~
~~by~~ 34 C.F.R. Part 106.
State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a).
Ill. Human Rights Act, 775 ILCS 5/2-101(E) and (E-1), 5/2-102(A), (A-10), (D-5),
5/2-102(E-5), 5/2-109, 5/5-102, and 5/5-102.2.
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
Burlington Industries v. Ellerth, 524 U.S. 742 (1998).
Crawford v. Metro. Gov't of Nashville & Davidson County, 555 U.S. 271 (2009).
Faragher v. City of Boca Raton, 524 U.S. 775 (1998).
Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).
Harris v. Forklift Systems, 510 U.S. 17 (1993).
Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).
Oncale v. Sundowner Offshore Services, 523 U.S. 75 (1998).
Porter v. Erie Foods International, Inc., 576 F.3d 629 (7th Cir. 2009).
Sangamon County Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill.
2009).
Vance v. Ball State University, 133 S. Ct. 2434 (2013).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment
Grievance Procedure), 4:60 (Purchases and Contracts), 5:10 (Equal Employment
Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child
Reporting), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 7:20
(Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School
Property)

General Personnel

Staff Development Program 1

The Superintendent or designee shall implement a staff development program. The goal of such program shall be to update and improve the skills and knowledge of staff members in order to achieve and maintain a high level of job performance and satisfaction. Additionally, the development program for licensed staff members shall be designed to effectuate the District and School Improvement Plans so that student learning objectives meet or exceed goals established by the District and State.

The staff development program shall provide, at a minimum, at least once every two years, the in-service training of licensed school personnel and administrators on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children. ²

The staff development program shall provide, at a minimum, once every two years, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct. ^{3 4 5}

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¹ State law requires the subject matter in paragraph 2 to be covered by policy. State or federal law controls this policy’s content. A school board may set and enforce professional growth requirements. 105 ILCS 5/24-5. Failure to meet professional growth requirements is considered remediable. Morris v. Ill. State Bd. of Educ., 198 Ill.App.3d 51 (3rd Dist. 1990).

105 ILCS 5/2-3.62, ~~amended by P.A. 99-30 (repealing 105 ILCS 5.2-3.60)~~, requires the Ill. State Board of Education (ISBE) to establish a regional network of educational service centers to coordinate and combine existing services in a manner that is practical and efficient for schools. Their purposes are to provide, among other things, continuing education, in-service training, and staff development services to all local school districts in Illinois.

² This paraphrases 105 ILCS 5/10-20.36(b). The topic covered in this paragraph must be in a board policy. Id. A school medical staff, an individualized educational program team, or a professional worker (as defined in Section 14-1.10) may recommend that a student be evaluated by an appropriate medical practitioner. School personnel may consult with the practitioner, with the consent of the student’s parent/guardian.

³ 105 ILCS 5/10-22.39(f) requires boards to conduct this in-service. While the language of this paragraph is not required to be in board policy, including it provides a way for boards to monitor that it is being done. Including this language provides an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Each board may then want to have a conversation with the superintendent and direct him or her to develop a curriculum for the in-service that instructs all district staff to maintain boundaries and act appropriately, professionally, and ethically with students. See also sample policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*, and f/n 11 in sample policy 4:110, *Transportation*. These expectations will be most effective when they reflect local conditions and circumstances. Employee conduct issues may be subjects of mandatory collective bargaining, therefore consulting the board attorney should be a part of this process. A district would commit an unfair labor practice by implementing new employee conduct rules without first offering to negotiate them with the applicable exclusive bargaining representative.

⁴ Insert the following option if a board wants to list in-services and/or trainings that State and federal law require, but are not required to be specified in board policy. If the board does not choose this option, delete 325 ILCS 5/4 from the Legal References. The only non-School Code ~~s~~State and/or federal law training requirements listed are from the Abused and Neglected Child Reporting Act, Ill. Human Rights Act, ~~and~~ the Seizure Smart School Act, and Title IX of the Education Amendments of 1972 (Title IX).

In addition, the staff development program shall include each of the following:

1. At least, once every two years, training of all District staff by a person with expertise on anaphylactic reactions and management.

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2. At least every two years, an in-service to train school personnel, at a minimum, to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.
3. Training that, at a minimum, provides District staff with a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS) and the availability of appropriate sources of counseling and referral.
4. Training for licensed school personnel and administrators who work with students in grades kindergarten through 12 to identify the warning signs of mental illness and suicidal behavior in youth along with appropriate intervention and referral techniques.
5. Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Erin's Law* Training as follows:
 - a. Staff development for local school site personnel who work with students in grades kindergarten through 8, in the detection, reporting, and prevention of child abuse and neglect (see policy 5:90, *Abused and Neglected Child Reporting*).
 - b. Within three months of employment, each staff member must complete mandated reporter training from a provider or agency with expertise in recognizing and reporting child abuse. Mandated reporter training must be completed again at least every three years (see policy 5:90, *Abused and Neglected Child Reporting*).
 - c. Informing educators about the recommendation in the *Erin's Law* Taskforce Report requesting them to attend continuing professional development programs that address the prevention and identification of child sexual abuse (see policy 5:90, *Abused and Neglected Child Reporting*).
6. Education for staff instructing students in grades 7 through 12, concerning teen dating violence as recommended by the District's Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students or Complaint Manager.
7. Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.
8. Annual continuing education and/or training opportunities (*professional standards*) for school nutrition program directors, managers, and staff. Each school food authority's director shall document compliance with this requirement by the end of each school year and maintain documentation for a three year period.
9. All high school coaching personnel, including the head and assistant coaches, and athletic directors must obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15. Coaching personnel and athletic directors hired on or after 8-19-14 must be certified before their position's start date.
10. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses, licensed and/or non-licensed healthcare professionals serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team.
11. Every two years, school personnel who work with students must complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting.
12. Training for school personnel to develop cultural competency, including understanding and reducing implicit racial bias.
13. For school personnel who work with hazardous or toxic materials on a regular basis, training on the safe handling and use of such materials.
14. For nurses, administrators, guidance counselors, teachers, persons employed by a local health department and assigned to a school, and persons who contract with the District to perform services in connection with a student's seizure action plan, training in the basics of seizure recognition, first aid, and appropriate emergency protocols.
15. For all District staff, annual sexual harassment prevention training.
16. Title IX requirements for training as follows (see policy 2:265, *Title IX Sexual Harassment Grievance Procedure*):

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- a. For all District staff, training on the definition of sexual harassment, the scope of the District's education program or activity, all relevant District policies and procedures, and the necessity to promptly forward all reports of sexual harassment to the Title IX Coordinator.
- b. For school personnel designated as Title IX coordinators, investigators, decision-makers, or informal resolution facilitators, training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.
- c. For school personnel designated as Title IX investigators, training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
- a.d. For school personnel designated as Title IX decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant.

Alternative to paragraph number 2:

2. At least every two years, an in-service to train school personnel who work with students on how to: (a) communicate with and listen to youth victims of domestic or sexual violence and expectant and parenting youth, (b) connect youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs and services as needed, and (c) implement the School District's policies, procedures, and protocols with regard to such youth, including confidentiality. The in-service shall be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth.

Citations for this option follow:

1. 105 ILCS 5/10-22.39(e) (refers to anaphylactic reactions/management).
2. 105 ILCS 5/10-22.39(d).
3. 105 ILCS 5/10-22.39(c).
4. 105 ILCS 5/10-22.39(b), amended by P.A.s 100-903 and 101-350, ~~eff. 1-1-20~~. The law allows districts to use the Ill. Mental Health First Aid training program to provide this training. If a licensed employee or an administrator obtains mental health first aid training outside of an in-service training program, he or she may present a certificate of successful completion of that training to the school district to satisfy the requirements of this law.
5. 105 ILCS 5/10-23.12, amended by P.A. 101-531; 325 ILCS 5/4(j), amended by P.A. 101-564, ~~eff. 1-1-20~~; and *Erin's Law Taskforce Final Report*, authorized by 105 ILCS 5/22-65 and repealed by P.A. 99-30 because of submission of the Report at: www.isbe.net/Documents/erins-law-final0512.pdf and see also www.erinlawillinois.org/ for more resources based upon the report. Training may be in-person or web-based and must include, at a minimum, information on the following topics: (1) indicators for recognizing child abuse and child neglect; (2) the process for reporting suspected child abuse and child neglect and the required documentation; (3) responding to a child in a trauma-informed manner; and (4) understanding the response of child protective services and the role of the reporter after a call has been made. 325 ILCS 5/4(j), amended by P.A. 101-564, ~~eff. 1-1-20~~. Districts must provide training through either DCFS, an entity authorized to provide continuing education through the Dept. of Financial and Professional Regulation, the Ill. State Board of Education, the Ill. Law Enforcement Training Standards Board, the Ill. Dept. of State Police, or an organization approved by DCFS to provide mandated reporter training. *Id.* *Child-serving organizations*, which are not defined in ANCRA, are "encouraged to provide in-person annual trainings." *Id.*
6. 105 ILCS 110/3.10(b)(2).
7. 105 ILCS 5/10-22.6(c-5), amended by P.A. 100-810. School board members are also included.
8. 7 C.F.R. Parts 210 and 235. Section 210.2 defines school nutrition program directors, managers and staff. 7 C.F.R. §§210.15(b)(8) (recordkeeping requirements) and 210.31(a), (c), (d), and (e) (professional standards requirements); 210.31(g)(requiring school food authority director to keep records), amended by Fed. Reg. Vol. 81, No. 146 at 50169 and finalized 7-29-16. Food service funds may be used for reasonable, allocable, and necessary training costs. 7 C.F.R. §210.31(f). The U.S. Dept. of Agriculture (USDA) has established implementation resources that contain training opportunities and resources covering the four core training areas: nutrition, operations, administration, and communications/marketing at: www.fns.usda.gov/school-meals/professional-standards.
9. 105 ILCS 25/1.15.
10. 105 ILCS 5/22-80(h), amended by P.A. 100-309.
11. 105 ILCS 5/22-30(j-15). Consult the board attorney about whether:

The Superintendent shall develop protocols for administering youth suicide awareness and prevention education to staff consistent with Board policy 7:290, *Suicide and Depression Awareness and Prevention*.⁶

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- a. All asthma action plans should require immediate 911 calls based upon In re Estate of Stewart, 406 Ill.Dec. 345 (2nd Dist. 2016); In re Estate of Stewart, 412 Ill.Dec. 914 (Ill. 2017) (school district's appeal denied). The court held that a teacher's failure to dial 911 immediately upon a student's asthma attack was *willful and wanton* conduct, subjecting the school district to liability under the Local Governmental and Governmental Employees Tort Immunity Act.
 - b. The duties and responsibilities of the district when it asks for, but does not receive an asthma action plan from a parent/guardian and the logistics of distributing any received plans to those employees who need to know based upon Stewart, above.
12. 105 ILCS 5/10-20.61, added by P.A. 100-14.
 13. 105 ILCS 5/10-20.17a; 23 Ill.Admin.Code §1.330.
 14. 105 ILCS 150/25, added by P.A. 101-50, ~~eff. 7-1-20~~.
 15. 775 ILCS 5/2-109, added by P.A. 101-221, ~~eff. 1-1-20~~.
 16. 34 C.F.R. §106.45(b)(1)(iii).

Putting this optional list into the policy will help the board monitor that the required in-service and training topics are being covered. While it is possible to *pick and choose*, this practice is likely to add more confusion to an already confusing responsibility. Unless noted, the School Code does not mandate the frequency with which the training must occur. Several other trainings that are mentioned in laws other than the School Code are addressed in other policies. Many of those policies are listed in the cross-references to this policy, e.g., training requirements under the Care of Students with Diabetes Act. 105 ILCS 145/.

⁵ Different from the in-service training that school districts must provide to their staff, 105 ILCS 5/3-11, contains requirements that the regional superintendents must include during teachers institutes. Instruction on prevalent student chronic health conditions, as well as educator ethics and teacher-student conduct training is also required. See also f/n 3 above discussing the board's requirement in Section 10-22.39. Beginning with the 2016-17 school year, teachers' institutes must also include instruction on the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12101 et seq.) as it pertains to the school environment at least every two years. Contact the Regional Superintendent or the appropriate Intermediate Service Center with questions about online training for this component of a teachers' institute. Discuss with the board attorney the best practices of documenting trainings and evaluations of trainings; many attorneys in the field prefer documentation of ADA trainings to assist in their defense of any potential ADA claims against the district.

For districts that have a practice of providing instruction in life-saving techniques and first-aid in their staff development programs, insert the following optional paragraph that restates 105 ILCS 5/3-11, 105 ILCS 110/3, and 77 Ill.Admin.Code §527.800:

An opportunity shall be provided for all staff members to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques and first aid, including the Heimlich maneuver, cardiopulmonary resuscitation, and the use of an automated external defibrillator, in accordance with a nationally recognized certifying organization. Physical fitness facilities' staff must be trained in cardiopulmonary resuscitation and use of an automated external defibrillator.

Persons performing CPR are generally exempt from civil liability if they are trained in CPR (745 ILCS 49/10); persons performing automated external defibrillation are generally exempt from civil liability if they were trained and acted according to the standards of the American Heart Association (745 ILCS 49/12).

The board may also want to address other staff development opportunities. While not required to be policy, 105 ILCS 5/27-23.10 requires a school board to collaborate with State and local law enforcement agencies on gang resistance education and training. It also states that ISBE may assist in the development of instructional materials and teacher training for gang resistance education and training, which may be helpful to include in the staff development program. Other mandated and recommended staff development opportunities that are not located in the School Code or ISBE rules are found in the Ill. Administrative Code or federal regulations. Many of them are cross referenced in this policy.

⁶ Required by 105 ILCS 5/2-3.166(c)(2).

- LEGAL REF.: [20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.](#)
~~Healthy, Hunger-Free Kids Act of 2010~~, 42 U.S.C. §1758b, Pub. L. 111-296,
[Healthy, Hunger-Free Kids Act of 2010](#); 7 C.F.R. Parts 210 and 235.
 105 ILCS 5/2-3.62, 5/10-20.17a, 5/10-20.61, 5/10-22.6(c-5), 5/10-22.39, 5/10-23.12, 5/22-80(h), and 5/24-5.
 105 ILCS 25/1.15, Interscholastic Athletic Organization Act.
 105 ILCS 150/25, Seizure Smart School Act.
 105 ILCS 110/3, Critical Health Problems and Comprehensive Health Education Act.
 325 ILCS 5/4, Abused and Neglected Child Reporting Act.
 745 ILCS 49/, Good Samaritan Act.
 775 ILCS 5/2-109, Ill. Human Rights Act.
 23 Ill.Admin.Code §§ 22.20, 226.800, and Part 525.
 77 Ill.Admin.Code §527.800.
- CROSS REF.: [2:265 \(Title IX Sexual Harassment Grievance Procedure\)](#), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:50 (School Wellness), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Food Allergy Management Program), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)
- ADMIN. PROC.: [2:265-AP1 \(Title IX Sexual Harassment Response\)](#), [2:265-AP2 \(Formal Title IX Sexual Harassment Complaint Grievance Process\)](#), 4:160-AP (Environmental Quality of Buildings and Grounds), 4:170-AP6 (Plan for Responding to a Medical Emergency at an Indoor Physical Fitness Facility), 5:100-AP (Staff Development Program), 5:150-AP (Personnel Records), 6:120-AP4 (Care of Students with Diabetes), 7:250-AP1 (Measures to Control the Spread of Head Lice at School)

Professional Personnel

Terms and Conditions of Employment and Dismissal 1

The School Board delegates authority and responsibility to the Superintendent to manage the terms and conditions for the employment of professional personnel. The Superintendent shall act reasonably and comply with State and federal law as well as any applicable collective bargaining agreement in effect. The Superintendent is responsible for making dismissal recommendations to the Board consistent with the Board’s goal of having a highly qualified, high performing staff. ²

School Year

Teachers shall work according to the school calendar adopted by the Board, which shall have a minimum of 176 student attendance days and a minimum of 180 teacher work days, including teacher institute days.³ Teachers are not required to work on legal school holidays unless the District has followed applicable State law that allows it to hold school or schedule teachers’ institutes, parent-teacher conferences, or staff development on the third Monday in January (the Birthday of Dr. Martin Luther King, Jr.); February 12 (the Birthday of President Abraham Lincoln); the first Monday in March (known as Casimir Pulaski’s birthday); the second Monday in October (Columbus Day); and November 11 (Veterans’ Day). ⁴

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

¹ State or federal law controls this policy’s content. This policy contains items 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 local collective bargaining agreement may contain provisions that exceed these requirements. In such cases, the board policy should be amended to state, “Please refer to the applicable collective bargaining agreement.”

Evaluation, tenure, and dismissals changed significantly from 2013 to 2016 as P.A.s 96-861, 97-8, and 98-513 were implemented. These public acts are referred to as *Education Reform* or *Education Reform Acts*.

² This paragraph is consistent with the IASB’s *Foundational Principles of Effective Governance*. Boards have three options for using this paragraph: (1) use it as an introduction to the policy; (2) use it alone leaving the specific other topics for administrative implementation; or (3) do not use it.

³ 105 ILCS 5/10-19, amended by P.A.s. 101-12 and 101-643. See 6:20, *School Year Calendar and Day*.

⁴ 105 ILCS 5/24-2(b). See 5:330, *Sick Days, Vacation, Holidays, and Leaves*, for a holiday listing as well as a discussion of the case finding the State-mandated school holiday on Good Friday unconstitutional. 105 ILCS 5/24-2, amended by P.A. 101-642, prohibits districts from making a deduction “from the time or compensation of a school employee on account of any legal or special holiday.”

10 ILCS 5/2B-10, added by P.A. 101-642 and 105 ILCS 5/24-2 (e), amended by P.A. 101-642, designates 2020 Election Day on 11-3-2020 as a legal school holiday for purposes of 105 ILCS 5/24. It requires all government offices, with the exception of election authorities, to be closed unless authorized to be used as a location for Election Day services or as a polling place. 10 ILCS 5/2B-10, added by P.A. 101-642, requires any school closed under it to make itself available to an election authority as a polling place for 2020 General Election Day and comply with all safety and health practices established by the Ill. Department of Public Health (IDPH).

No waiver exists for 2020 Election Day. 105 ILCS 5/24-24(b) and (e), amended by P.A. 101-642.

School Day

Teachers are required to work the school day adopted by the Board.⁵ Teachers employed for at least four hours per day shall receive a duty-free lunch equivalent to the student lunch period, or 30 minutes, whichever is longer.⁶

The District accommodates employees who are nursing mothers according to provisions in State and federal law.⁷

Salary

Teachers shall be paid according to the salaries fixed by the Board, but in no case less than the minimum salary provided by the School Code.⁸ Teachers shall be paid at least monthly on a 10- or 12-month basis.⁹

Assignments and Transfers

The Superintendent is authorized to make teaching, study hall, extra class duty, and extracurricular assignments.¹⁰ In order of priority, assignments shall be made based on the District's needs and best interests, employee qualifications, and employee desires.

School Social Worker Services Outside of District Employment

School social workers may not provide services outside of their District employment to any student(s) attending school in the District. *School social worker* has the meaning stated in 105 ILCS 5/14-1.09a.¹¹

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

⁵ A school day is required to consist of a minimum of five clock hours under the direct supervision of a teacher or non-teaching personnel or volunteer personnel that provides non-teaching or supervisory duties as specified in 105 ILCS 5/10-22.34(a) in order to qualify as a full day of attendance. 105 ILCS 5/10-19.05(a) ~~and (j-5)~~, added by P.A. 101-12 ~~and amended by P.A. 101-643~~. See www.isbe.net/school-calendar for ISBE's instructional day changes notice regarding this law. See 105 ILCS 5/10-19.05, added by P.A. 101-12 ~~and amended by P.A. 101-643~~, for additional exceptions to the attendance calculation.

⁶ 105 ILCS 5/24-9.

⁷ 740 ILCS 137/; 820 ILCS 260/, amended by P.A. 100-1003. Ill. law requires more of employers than federal law. Consult the board attorney to ensure the district is properly accommodating nursing mothers. See 5:10-AP, *Workplace Accommodations for Nursing Mothers*.

⁸ 105 ILCS 5/10-20.7, 5/10-21.1, 5/24-1, and 5/24-8, amended by P.A. 101-443, ~~eff. 6-1-20, beginning with the 2020-2021 school year~~, (minimum salary). Salaries are a mandatory subject of collective bargaining. 115 ILCS 5/10. Annually, by Oct. 1, each district must: (1) during an open school board meeting, report salary and benefits information for the superintendent, administrators, and teachers; (2) publish that information on the district's website, if any; and (3) provide this information to ISBE. 105 ILCS 5/10-20.47. According to a Public Access Counselor (PAC) *Informal Mediation* letter interpreting ~~Sec. 7.3 of the Open Meetings Act (OMA) (5 ILCS 120/7.3)~~, an IMRF employer must post on its website the names of employees having a total compensation package that exceeds \$75,000 per year. 2012 PAC 19808 (Informal Mediation by the Ill. Attorney General's Public Access Counselor (PAC); see PAC Annual Report for 2012 at www.foia.ilattorneygeneral.net/pdf/Public_Access_Counselor_Annual_Report_2012.pdf).

⁹ 105 ILCS 5/24-21.

¹⁰ Districts are required to have a policy on the distribution of the listed assignments. 23 Ill.Admin.Code § 1.420(d).

Absent an individual or collective bargaining agreement, the board has unilateral discretion to assign or retain a teacher to or in an extracurricular duty. *Betebenner v. Bd. of Educ.*, 336 Ill.App. 448 (4th Dist. 1949); *Dist. 300 Educ. Assoc. v. Bd. of Educ.*, 31 Ill.App.3d 550 (2nd Dist. 1975); *Lewis v. Bd. of Educ.*, 181 Ill.App. 3d 689 (5th Dist. 1989).

¹¹ Optional. This subhead provides information to district employees and the community that 105 ILCS 5/14-1.09a, amended by P.A. 100-356, prohibits school social workers from moonlighting by providing services to students attending the districts in which they are employed. Delete "~~5/10-20.650, 5/14-1.09a~~," from the Legal References if the board deletes this subhead.

Dismissal

The District will follow State law when dismissing a teacher. ¹²

Evaluation

The District's teacher evaluation system will be conducted under the plan developed pursuant to State law. ¹³

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

¹² All dismissal laws in the chart below were amended by the *Education Reform Acts*. ~~Beginning with 2020-2021 school year,~~ 105 ILCS 5/24A-5.5, added by P.A. 101-591, requires districts to develop and implement a local appeals process for unsatisfactory ratings issued to teachers under 105 ILCS 5/24A-5, amended by P.A. 101-643. Districts must: (1) develop the process in cooperation with the bargaining unit or teachers, if applicable, and (2) include an assessment of the original rating by a panel of qualified evaluators agreed to by the PERA joint committee (105 ILCS 5/24A-4(b)).

Non-tenure Teacher Discharge	105 ILCS 5/24-11, <u>amended by P.A. 101-643</u>
Tenured and Non-tenure Teachers Reduction in Force	105 ILCS 5/24-12(b), <u>amended by P.A. 101-643</u> , and (c)
Tenured Teacher Discharge Where Cause Remediable	105 ILCS 5/24-12(d) (prior reasonable warning required) 105 ILCS 5/24-12(d) (procedural mandates) 105 ILCS 5/10-22.4 (general authority)
Tenured Teacher Discharge Where Cause Irremediable	105 ILCS 5/24-12(d) (no prior warning required) 105 ILCS 5/24-12(d) (procedural mandates) 105 ILCS 5/10-22.4 (general authority)
Tenured Teacher Discharge Failure to complete remediation plan with a rating of <i>Proficient</i>	105 ILCS 5/24A-5(m) (participation in remediation plan after unsatisfactory evaluation) 105 ILCS 5/24-12(d)(1), <u>amended by P.A. 101-643</u> (no prior warning required if cause(s) were subject of remediation plan) 105 ILCS 5/24-12(d) (procedural mandates) 105 ILCS 5/10-22.4 (general authority)
Tenured Teacher Discharge - Optional Alternative Evaluative Dismissal Process for PERA Evaluation Failure to complete remediation plan with a <i>Proficient</i> or better rating 105 ILCS 5/24A-2.5	105 ILCS 5/24-16.5(d) (provide written notice) 105 ILCS 5/24-16.5 (pre-remediation and remediation procedural mandates) 105 ILCS 5/24-16.5(e) and (f) (school board makes final decision with only PERA-trained board members participating in vote)
Tenured Teacher Discharge <i>Unsatisfactory</i> PERA evaluation within 36 months of completing a remediation plan 105 ILCS 5/24A-2.5	105 ILCS 5/24A-5(n) (forego remediation and proceed to dismissal) 105 ILCS 5/24-12(d) (procedural mandates) 105 ILCS 5/10-22.4 (general authority)
Educational Support Personnel Employees (non-licensed)	105 ILCS 5/10-23.5, amended by PA. 101-46
Probationary Teacher (non-tenure teacher)	105 ILCS 5/24-11, <u>amended by P.A. 101-643</u>

Various components of a RIF (e.g., impact and decision to RIF) and an evaluation plan (e.g., development, implementation, and impact) may be subject to mandatory collective bargaining. Central City Educ. Assoc. v. IELRB, 149 Ill.2d 496 (Ill. 1992).

Teacher RIF procedures were changed by 105 ILCS 5/24-12, amended by P.A. 101-643. See *PERA Overview for School Board Members*, question 13, "What is the process for selecting teachers for a reduction in force/layoff (RIF)" at: www.iasb.com/law/PERAoverview.pdf.

According to a binding opinion from the Ill. Public Access Counselor, a board must identify an employee by name in a motion to dismiss him or her. PAO 13-16. As this may be a significant change in practice with possible other legal consequences, a board should consult with the board attorney on this issue before dismissing employee.

¹³ Teacher evaluation plans are covered in *PERA Overview for School Board Members* at: www.iasb.com/law/PERAoverview.pdf.

On an annual basis, the Superintendent will provide the Board with a written report which outlines the results of the District's teacher evaluation system.

LEGAL REF.: 105 ILCS 5/10-19, 5/10-19.05, 5/10-20.65, 5/14-1.09a, 5/22.4, 5/24-16.5, 5/24-2, 5/24-8, 5/24-9, 5/24-11, 5/24-12, 5/24-21, 5/24A-1 through 24A-20.
820 ILCS 260/1 et seq.
23 Ill.Admin.Code Parts 50 (Evaluation of Educator Licensed Employees) and 51 (Dismissal of Tenured Teachers).
Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532(1985).

CROSS REF.: 5:290 (Employment Termination and Suspensions), 6:20 (School Year Calendar and Day)

DRAFT

Professional Personnel

Substitute Teachers 1

The Superintendent may employ substitute teachers as necessary to replace teachers who are temporarily absent.

A substitute teacher must hold either a valid teaching or substitute license or short-term substitute license and may teach in the place of a licensed teacher who is under contract with the Board.² There is no limit on the number of days that a substitute teacher may teach in the District during the school year, except as follows:³

1. A substitute teacher holding a substitute license may teach for any one licensed teacher under contract with the District only for a period not to exceed 90 paid school days in any one school term.
2. A teacher holding a Professional Educator License⁴ or Educator License with Stipulations⁵ may teach for any one licensed teacher under contract with the District only for a period not to exceed 120 paid school days.
3. A short-term substitute teacher holding a short-term substitute teaching license may teach for any one licensed teacher under contract with the District only for a period not to exceed five consecutive school days.⁶

The Illinois Teachers' Retirement System (TRS) limits a substitute teacher who is a TRS annuitant to substitute teaching for a period not to exceed 120 paid days or 600 paid hours in each school year, but

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¹ State law controls this policy's content. Policy 5:30, *Hiring Process and Criteria*, contains the requirements for pre-employment investigations, e.g., a fingerprint based criminal history records check. See also 5:30-AP2, *Investigations*. Each board may require new substitute teacher employees to furnish evidence of physical fitness to perform duties assigned and must require new substitute teacher employees to furnish evidence of freedom from communicable disease. 105 ILCS 5/24-5(b-5), added by P.A. 100-855. Evidence may consist of a physical examination, which must be performed within 90 days before the time it is presented to the board, and the substitute teacher bears the cost of the physical examination. Id. A new or existing substitute teacher may also be subject to additional health examinations as required by the Ill. Dept. of Public Health or by order of a local public health official. Id.

² 23 Ill.Admin.Code §1.790(a)(2), ~~added by 41 Ill.Reg. 6924~~, requires that any individual who serves as a substitute teacher for driver's education be endorsed for driver's education pursuant to 23 Ill.Admin.Code §25.100(k), ~~amended at 42 Ill.Reg. 8884~~.

³ Substitute teaching licenses are governed by 105 ILCS 5/21B-20(3), amended by P.A. 100-596; 23 Ill.Admin.Code §§1.790, ~~amended at 42 Ill.Reg. 11551~~; and 23 Ill.Admin.Code §25.520, ~~amended at 42 Ill.Reg. 8930~~.

⁴ Professional educator licenses are governed by 105 ILCS 5/21B-20(1) and 23 Ill.Admin.Code Part 25, ~~amended at 42 Ill.Reg. 8830~~.

⁵ Educator licenses with stipulations are governed by 105 ILCS 5/21B-20(2), amended by P.A. 100-596, and 23 Ill.Admin.Code Part 25, ~~amended at 42 Ill.Reg. 8830~~. 105 ILCS 5/21B-20(2)(E), amended by P.A. 100-13, permits an individual who holds a valid career and technical educator endorsement on an Educator License with Stipulations but who does not hold a bachelor's degree to substitute teach in career and technical education classrooms. Similarly, 105 ILCS 5/21B-20(2)(F), amended by P.A. 100-13, permits an individual who holds a provisional or part-time provisional career and technical educator endorsement on an Educator License with Stipulations but who does not hold a bachelor's degree to substitute teach in career and technical education classrooms.

⁶ 105 ILCS 5/21B-20(4), added by P.A. 100-596. Districts may not hire a short-term substitute teacher for teacher absences lasting six or more days. Id.

not more than 100 paid days in the same classroom. Beginning July 1, 2021⁹, a substitute teacher who is a TRS annuitant may substitute teach for a period not to exceed 100 paid days or 500 paid hours in any school year, unless the subject area is one where the Regional Superintendent has certified that a personnel shortage exists.⁷

The School Board establishes a daily rate of pay for substitute teachers. Substitute teachers receive only monetary compensation for time worked and no other benefits.⁸

Short-Term Substitute Teachers⁹

A short-term substitute teacher must hold a valid short-term substitute teaching license and have completed the District's short-term substitute teacher training program.¹⁰ Short-term substitutes may teach no more than five consecutive school days for each licensed teacher who is under contract with the Board.¹¹

Emergency Situations¹²

A substitute teacher may teach when no licensed teacher is under contract with the Board if the District has an emergency situation as defined in State law. During an emergency situation, a substitute teacher is limited to 30 calendar days of employment per each vacant position. The Superintendent shall notify the appropriate Regional Office of Education within five business days after the employment of a substitute teacher in an emergency situation.

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⁷ 40 ILCS 5/16-118, amended by P.A.s 100-596 and 101-645 (specifying permissible paid days and hours for TRS annuitants), and 16-150.1, amended by P.A. 101-49 (TRS annuitants may return to teaching in a subject shortage area until 6-30-21). Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center."

⁸ If a board provides substitute teachers other benefits, it may consider listing them here.

⁹ 105 ILCS 5/21B-20(4), added by P.A. 100-596, governs Short-Term Substitute Teaching Licenses, which may be issued from 7-1-18 until 6-30-23. Short-Term Substitute Teaching Licenses are not eligible for endorsements. *Id.* Applicants for a Short-Term Substitute Teaching License must hold an associate's degree or have completed at least 60 credit hours from a regionally accredited institution of higher education. Individuals who have had their Professional Educator License or Educator License with Stipulations suspended or revoked are not eligible to be short-term substitutes. *Id.* Short-term substitutes may not be hired for teacher absences lasting six or more days. *Id.* 105 ILCS 5/21B-20(4) repeals on 7-1-23.

¹⁰ 105 ILCS 5/10-20.68, added by P.A. 100-596, requires boards to conduct this training. This requirement provides an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Each board may then want to have a conversation with the superintendent and direct him or her to develop a curriculum for a short-term substitute teacher training program that provides individuals who hold a Short-Term Substitute Teaching License with information on curriculum, classroom management techniques, school safety, and district and building operations. See also 5:220-AP, *Substitute Teachers*, and f/n 3 in 5:220-AP. These expectations will be most effective when they reflect local conditions and circumstances. Training and curriculum for a short-term substitute teacher training program may be subjects of mandatory collective bargaining, therefore consulting with the board attorney should be a part of this process. A district would commit an unfair labor practice by implementing new programs for staff without first offering to negotiate them with the applicable exclusive bargaining representative.

School boards may choose to also offer this training program to individuals who hold a Substitute Teaching License and/or substitute teachers holding a Professional Educator License. This provision repeals on 7-1-23.

¹¹ See f/n 6.

¹² 105 ILCS 5/21B-20(3). An *emergency situation* is defined as one where an unforeseen vacancy has occurred and (i) a teacher is unable to fulfill his or her contractual duties, or (ii) the district's teacher capacity needs exceed previous indications and the district is actively engaged in advertising to hire a fully licensed teacher for the vacant position.

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

LEGAL REF.: 105 ILCS 5/10-20.68, 5/21B-20(2), 5/21B-20(3), and 5/21B-20(4).
23 Ill.Admin.Code §1.790 (Substitute Teacher) and §25.520 (Substitute Teaching License).

CROSS REF.: 5:30 (Hiring Process and Criteria)

DRAFT

Educational Support Personnel

Sick Days, Vacation, Holidays, and Leaves 1

Each of the provisions in this policy applies to all educational support personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave 2

Full or part-time educational support personnel who work at least 600 hours per year receive 10 paid sick leave days per year. Part-time employees will receive sick leave pay equivalent to their regular

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This policy is consistent with the minimum requirements of State law. The local collective bargaining agreement may contain provisions that exceed these requirements. The introductory paragraph recognizes that an applicable collective bargaining agreement or individual employment contract will supersede a conflicting provision of the policy. Alternatively, if the policy’s subject matter is superseded by a bargaining agreement, the board policy may state, “Please refer to the applicable collective bargaining agreement.”

Districts must coordinate leaves provided by State law and the local bargaining agreement with the leave granted by the Family and Medical Leave Act (FMLA) (29 U.S.C. §2612), amended by Sec. 565 of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111-84). The FMLA grants eligible employees 12 weeks unpaid leave each year for: (1) the birth and first-year care of a child; (2) the adoption or foster placement of a child; (3) the serious health condition of an employee’s spouse, parent, or child; (4) the employee’s own serious health condition; (5) the existence of any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is on (or has been notified of an impending call to) *covered active duty* in the Armed Forces; and (6) to care for the employee’s spouse, child, parent, or next of kin who is a covered service member with a serious injury or illness. The definition of *covered servicemember* includes a veteran “who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness” if the veteran was a member of the Armed Forces “at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.” 29 U.S.C. §2611. Districts are permitted to count paid leave (granted by State law or board policy) taken for an FMLA purpose against an employee’s FMLA entitlement. 29 C.F.R. §825.207. See policy 5:185, *Family and Medical Leave*.

A plethora of State laws grant leaves to employees of the State and municipalities, but are not applicable to school districts, including the Employee Blood Donation Leave Act (820 ILCS 149/), Local Government Disaster Service Volunteer Act (50 ILCS 122/), Organ Donor Leave Act (5 ILCS 327/), and Civil Air Patrol Leave Act (820 ILCS 148/).

² This section contains the minimum benefits provided by 105 ILCS 5/24-6. Each specified number of days in this section is the statutory minimum. The School Code does not address whether an employee’s 10 paid sick leave days are available upon employment, accrued over months, or after working for a certain period of time, e.g., one year. Also be aware that the Employee Sick Leave Act (820 ILCS 191/) allows employees to use employer-provided sick leave to care for an ill or injured *family* member or to attend a medical appointment with a family member. The law defines family members as a child, stepchild, spouse, domestic partner, sibling, parent, mother- or father-in-law, grandchild, grandparent, or stepparent. *Id.* at 191/10(b). Leave may be taken under the same terms for which the employee would be permitted to take leave for his or her own illness or injury. Before adopting this policy or applying its provisions, the district should examine any applicable bargaining agreements. Strict accounting of unused sick days is important to avoid:

1. Employees accumulating sick time on a full-time basis when they are truly working part-time hours;
2. Inconsistent treatment; and
3. Inaccurate reporting to IMRF (credit is given for full day unused sick days upon retirement). 40 ILCS 5/7-139(a)(8).

workday. Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year.³

Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption. The Superintendent and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after three days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Superintendent may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) a licensed advanced practice registered nurse, (4) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than three days for personal illness, the District shall pay the expenses incurred by the employee.

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.⁴

Vacation⁵

Twelve-month employees shall be eligible for paid vacation days according to the following schedule:

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³ As this policy is consistent with the minimum requirements of State law, this provision on the maximum number of sick days that may be accumulated is based on the minimum number required as stated in 105 ILCS 5/24-6. The number may be increased to meet or exceed the number IMRF will recognize for retirement credit purposes. The following alternative does this: "Unused sick leave shall accumulate to the maximum number of days that IMRF will recognize for retirement credit purposes."

The following optional provisions apply to boards that want to address the IMRF's requirement that public bodies must have a written plan allowing eligible employees to convert their eligible accumulated sick leave to service credit upon their retirement. See 40 ILCS 5/7-139(a)(8). See also IMRF General Memorandum #555 at: www.imrf.org/en/publications-and-archive/general-memos/2007-general-memos/general-memo-555.

Option 1: No collective bargaining agreement applies and the board wants to publicize its written plan. Insert the following sentence: This policy is the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon a District employee's retirement under the Ill. Municipal Retirement Fund.

Option 2: A local collective bargaining agreement contains the written plan and the board wants to publicize it. Insert the following sentence: Please refer to the applicable collective bargaining agreement(s) for the District's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon an employee's retirement under the Ill. Municipal Retirement Fund.

Option 3: A district maintains two separate sick leave plans, one for employees under a collective bargaining agreement, and one for non-unionized employees. Insert the text for both Option 1 and Option 2.

Note: If Options 1, 2, or 3 are chosen, add 40 ILCS 5/7-139 to the Legal References. If the board does not have a written sick leave plan for purposes of IMRF sick leave to service credit conversion or does not wish to include it in the policy, do not include any of the options above or add the citation to the Legal References.

⁴ 105 ILCS 5/24-6, amended by P.A. 100-513.

⁵ State law does not require districts to give employees vacations.

<u>Length of Employment</u>		<u>Monthly Accumulation</u>	<u>Maximum Vacation Leave Earned Per Year</u>
<u>From:</u>	<u>To:</u>		
Beginning of year 2	End of year 5	0.83 Days	10 Days per year
Beginning of year 6	End of year 15	1.25 Days	15 Days per year
Beginning of year 16	End of year	1.67 Days	20 Days per year

Part-time employees who work at least half-time are entitled to vacation days on the same basis as full-time employees, but the pay will be based on the employee's average number of part-time hours per week during the last vacation accrual year. The Superintendent will determine the procedure for requesting vacation.

Vacation days earned in one fiscal year must be used by the end of the following fiscal year; they do not accumulate. Employees resigning or whose employment is terminated are entitled to the monetary equivalent of all earned vacation. ⁶

Holidays ⁷

Unless the District has a waiver or modification of the School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a [legal school](#) holiday listed below, District employees will not be required to work on:

New Year's Day	Labor Day
Martin Luther King Jr.'s Birthday	Columbus Day
Abraham Lincoln's Birthday	Veteran's Day
Casimir Pulaski's Birthday	2020 Election Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

A holiday will not cause a deduction from an employee's time or compensation. The District may require educational support personnel to work on a school holiday during an emergency or for the continued operation and maintenance of facilities or property.

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

⁶ Required by 820 ILCS 115/5 and 56 Ill.Admin.Code §300.520 (Earned Vacations).

⁷ Holidays are listed in 105 ILCS 5/24-2(a), (e), amended by P.A. 101-642, and 10 ILCS 5/2B-10, added by P.A. 101-642. For information on the waiver process allowed by 105 ILCS 5/24-2(b), see 2:20-E, *Waiver and Modification Request Resource Guide*. Holidays not specified in the [School or Election Codes statute](#) may be added to the policy; however, boards adding additional holidays should monitor and review to ensure the list remains current.

A State-mandated school holiday on Good Friday is unconstitutional according to [Metzl v. Leininger](#), 57 F.3d 618 (7th Cir. 1995). Closing school on religious holidays may be permissible for those districts able to demonstrate that remaining open would be a waste of educational resources because of widespread absenteeism. Also, districts may be able to close school on Good Friday by adopting a spring holiday rationale or ensuring that it falls within spring break. School districts should discuss their options, including the collective bargaining implications, with their board attorney.

[For more information about 2020 Election Day, see the discussion in f/n 4 in 5:200, Terms and Conditions of Employment and Dismissal.](#)

Personal Leave ⁸

Full-time educational support personnel have one paid personal leave day per year. The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted to the Building Principal three days before the requested date.
2. No personal leave day may be used immediately before or immediately after a holiday, or during the first and/or last five days of the school year, unless the Superintendent grants prior approval.
3. Personal leave may not be used in increments of less than one-half day.
4. Personal leave is subject to any necessary replacement's availability.
5. Personal leave may not be used on an in-service training day and/or institute training days.
6. Personal leave may not be used when the employee's absence would create an undue hardship.

Leave to Serve as a Trustee of the Illinois Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Ill. Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3. ⁹

Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Board policy 5:250, *Leaves of Absence*:

1. Leaves for Service in the Military and General Assembly. ¹⁰
2. School Visitation Leave. ¹¹
3. Leaves for Victims of Domestic Violence, Sexual Violence, or Gender Violence. ¹²
4. Child Bereavement Leave. ¹³
5. Leave to serve as an election judge. ¹⁴

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

⁸ State law does not address personal leave. It is not uncommon for boards to grant educational support personnel the same number of personal leave days as are granted to professional staff.

⁹ Required by 105 ILCS 5/24-6.3. A similar leave exists for an elected trustee for the Ill. Teachers' Retirement System. See 5:250, *Leaves of Absence*.

¹⁰ Military leave is governed by the School Code (105 ILCS 5/10-20.7b, 5/24-13, and 13.1); the Service Member Employment and Reemployment Rights Act (330 ILCS 61/, added by P.A. 100-1101, streamlining several job-related protection laws into one statute, mandating leave for *active service* and requiring the public employer to make up the difference between military pay and regular compensation); and the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. §4301 *et seq.*).

Granting General Assembly leave to ESPs is optional.

¹¹ 820 ILCS 147/, amended by P.A. 101-486, ~~eff. 8-1-20~~. See policy 5:250, *Leaves of Absence*, and 5:250-AP, *School Visitation Leave*.

¹² Required by Victims' Economic Security and Safety Act (820 ILCS 180/, amended by P.A. 101-221, ~~eff. 1-1-20~~) and 56 Ill.Admin.Code Part 280. Important information about this leave is discussed in f/ns 20, 21, and 22 of 5:250, *Leaves of Absence*.

¹³ 820 ILCS 154/. Important information about this leave is discussed in f/n 5 of 5:250, *Leaves of Absence*.

¹⁴ 10 ILCS 5/13-2.5.

LEGAL REF.: 105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.
330 ILCS 61/, Service Member Employment and Reemployment Rights Act.
820 ILCS 147, School Visitation Rights Act.
820 ILCS 154/, Child Bereavement Leave Act.
820 ILCS 180/, Victims' Economic Security and Safety Act.
School Dist. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987); Elder v. Sch. Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence)

DRAFT

Students

Equal Educational Opportunities 1

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity,² status of being homeless, immigration status, order of protection status, actual or potential marital or parental status, including pregnancy.³ Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under School Board policy 8:20, *Community Use of School*

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

¹ State or federal law requires this subject matter be covered by policy and controls this policy’s content.

² Adopting separate policies or inserting policy statements about accommodations and inclusion of transgender students in the educational program are unsettled areas of the law. Some lawyers believe doing so may open boards to equal protection challenges for not creating separate policies for other protected statuses, e.g., race, nationality, religion, etc. [Executive Order \(EO\) 2019-11, titled “Strengthening Our Commitment to Affirming and Inclusive Schools” established the Affirming and Inclusive Schools Task Force \(Task Force\) to identify strategies and best practices for ensuring welcoming, safe, supportive, and inclusive school environments for transgender, nonbinary, and gender nonconforming students. The Task Force delivered a report that served as the basis for two non-regulatory guidance documents entitled *Supporting Transgender, Nonbinary and Gender Nonconforming Students* and *Sample District Policy and Administrative Procedures at www.isbe.net/supportallstudents*. The Ill. State Board of Education \(ISBE\) hosts these documents on its website.](#)

Consult the board attorney if your board wishes to adopt a separate policy or insert policy statements about accommodations and inclusion of transgender students.

[For boards that want to incorporate ISBE’s *Sample District Policy and Administrative Procedures* policy recommendation into this policy, insert the following in place of “gender identity.”: gender, gender identity \(whether or not traditionally associated with the student’s sex assigned at birth\), gender expression.](#)

[If the board inserts this option, it must also insert the options in f/n 7, below and in f/n 2 of *sample policy 7:20, Harassment of Students Prohibited*. BUT NOTE THE PROTECTED STATUSES LIST IN THIS POLICY IS DIFFERENT AND SHOULD NOT BE COPIED FROM HERE INTO 7:20, HARASSMENT OF STUDENTS PROHIBITED.](#)

See 7:10-AP1, *Accommodating Transgender Students or Gender Non-Conforming Students*, for a case-by-case procedure that school officials may use when a student requests an accommodation based upon his or her gender identity.

For a list of policies that address the equal educational opportunities, health, safety, and general welfare of students within the District, see 7:10-E, *Equal Educational Opportunities Within the School Community*.

³ Many civil rights laws guarantee equal education opportunities; see citations in the Legal References.

In 23 Ill.Admin.Code §1.240, ISBE states that “no school system may deny access to its schools or programs to students who lack documentation of their immigration status or legal presence in the United States, and no school system may inquire about the immigration status of a student (*Plyler v. Doe*, 457 U.S. 202 (1982)).”

The Ill. Human Rights Act (IHRA) and an ISBE rule prohibit schools from discriminating against students on the basis of *sexual orientation* and *gender identity*. 775 ILCS 5/5-101(11); 23 Ill.Admin.Code §1.240. *Sexual orientation* is defined as the “actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person’s designated sex at birth.” 775 ILCS 5/1-103(O-1). *Gender identity* is included in the definition of sexual orientation in the Act. The Act permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103. 775 ILCS 5/1-102(A) makes *order of protection status* a protected category.

The IHRA’s jurisdiction is specifically limited to: (1) failing to enroll an individual, (2) denying access to facilities, goods, or services, or (3) failing to take corrective action to stop severe or pervasive harassment of an individual. 775 ILCS 5/5-102.2.

*Facilities.*⁴ Any student may file a discrimination grievance by using Board policy 2:260, *Uniform Grievance Procedure.*⁵

Sex Equity⁶

No student shall, based on sex, sexual orientation, or gender identity⁷ be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using Board policy 2:260, *Uniform Grievance Procedure.* A student may appeal the Board's resolution of the complaint to the Regional

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⁴ 23 Ill.Admin.Code §200.40(b) prohibits entering into agreements with entities that discriminate against students on the basis on sex. Section 200.80(a)(4) contains an exception for single sex youth organizations, e.g., Boy and Girl Scouts. Note that the U.S. Supreme Court refused to apply N.J.'s public accommodation law to the Boy Scouts because forcing the Scouts to accept a homosexual as a member would violate the Scouts' freedom of expressive association. Boy Scouts of America v. Dale, 530 U.S. 640 (2002). When deciding whether to allow non-school groups to use its facilities, a public school district may not engage in viewpoint discrimination. Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).

⁵ Districts must have a grievance procedure. See Legal References following policy. Absent a specific statute or rule, there is no consensus on whether students have the right to appeal a board's decision to the Regional Superintendent and thereafter to the State Superintendent pursuant to 105 ILCS 5/2-3.8.

⁶ Every district must have a policy on sex equity. 23 Ill.Admin.Code §200.40(b). The IHRA, Public Accommodation section, prohibits schools from: (1) failing to enroll an individual, (2) denying a individual access to its facilities, goods, or services, or (3) failing take corrective action to stop severe or pervasive harassment of an individual (775 ILCS 5/5-102.2), on the basis of the individual's sex or sexual orientation, among other classifications (775 ILCS 5/5-101). Districts must periodically evaluate their policies and practices to identify and eliminate sex discrimination as well as evaluate course enrollment data to identify disproportionate enrollment based on sex. In-service training for all staff members is required. 23 Ill.Admin.Code §1.420.

With some exceptions, Title IX of the Education Amendments of 1972 (Title IX) guarantees that "[n]o person in the United States shall, on the basis of gender, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance..." 20 U.S.C. §§1681(a). Equal participation and equal opportunity in athletics is addressed in the U.S. Dept. of Education's implementing rules. 34 C.F.R. §106.41. Generally, when a school district offers a team for one gender but not for the other, a member of the excluded gender is allowed to try out for the team unless the sport is a *contact sport*. Contact sports are boxing, wrestling, rugby, ice hockey, football, basketball, and other sports involving bodily contact. The rules also list the factors that determine whether equal opportunities are available to both genders. These include: whether the selection of athletics accommodates the interests and abilities of both genders; equipment and supplies; scheduling; opportunity to receive coaching and academic tutoring; locker rooms, practice facilities, and fields; and publicity. Title IX prohibits any person from sexually harassing a student. See sample policy 2:265, Title IX Sexual Harassment Grievance Procedure, for further discussion.

105 ILCS 5/10-20.60 (final citation pending), added by P.A. 100-29, ~~eff. 1-1-18~~, requires public schools to provide reasonable accommodations to breastfeeding students. See sample administrative procedure 7:10-AP-2, Accommodating Breastfeeding Students, for specific *reasonable accommodations* under Illinois law.

105 ILCS 5/10-20.60 (final citation pending), added by P.A. 100-163, ~~eff. 1-1-18~~, 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. **Note:** The statute does not delineate between types of bathrooms (student, staff, girls, boys, unisex, etc.). Consult with the board attorney about implementing this law.

⁷ For boards that want to incorporate ISBE's Sample District Policy and Administrative Procedures policy recommendations into this policy (see f/n 2 above), insert:

1. In place of "or gender identity" as follows: "~~or gender identity, or gender expression~~".
2. The following sentence as the second sentence of this subhead: "Students shall be supported in a manner consistent with their gender identity. This will include, but not be limited to, use of restrooms, locker rooms, and other facilities that correspond with the student's gender identity."

Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).⁸

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator, who also serves as the District's Title IX Coordinator.⁹ The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and related grievance procedures.¹⁰

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972;
implemented by 34 C.F.R. Part 106.
29 U.S.C. §791 et seq., Rehabilitation Act of 1973.
42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).
Ill. Constitution, Art. I, §18.
105 ILCS 5/3.25b, 5/3.25d(b), 5/10-20.12, 5/10-20.60 (P.A.s 100-29 and 100-163,
final citations pending), 5/10-22.5, and 5/27-1.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
775 ILCS 35/5, Religious Freedom Restoration Act.
23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:130 (Student Rights and Responsibilities), 7:160 (Student Appearance), 7:165 (Student Uniforms), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:250 (Student Support Services), 7:330 (Student Use of Buildings - Equal Access), 7:340 (Student Records), 8:20 (Community Use of School Facilities)

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

⁸ Districts must have a grievance procedure and must tell students that they may appeal a board's resolution of a sex equity complaint to the Regional Superintendent and, thereafter, to the State Superintendent. 23 Ill.Admin.Code §-200.40. Student complaints regarding breastfeeding accommodations must also be processed in accordance with these procedures. See sample policy 2:260, Uniform Grievance Procedure, at f/n 58.

Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center." Use this alternative for districts in suburban Cook County: replace "Regional Superintendent" with "appropriate Intermediate Service Center."

⁹ Required by regulations implementing Title IX. 34 C.F.R. Part 106.8(a). See f/n 19 in sample policy 2:260, Uniform Grievance Procedure. If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, amend this sentence to state: "The Superintendent shall appoint a Nondiscrimination Coordinator and a Title IX Coordinator."

¹⁰ Required by regulations implementing Title IX. 34 C.F.R. Part 106; 23 Ill.Admin.Code §200.40. Comprehensive ~~F~~faculty and student handbooks can provide required notices, along with other important information, to recipients. Handbooks can be developed by the building principal, but should be reviewed and approved by the superintendent and board. Faculty handbooks may contain working conditions and be subject to mandatory collective bargaining. The Illinois Principals Association maintains a handbook service that coordinates with PRESS material, Online Model Student Handbook (MSH), at: www.ilprincipals.org/resources/model-student-handbook.

Students

Harassment of Students Prohibited 1

Bullying, Intimidation, and Harassment Prohibited

No person, including a School District employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity²; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student’s educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of

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¹ State or federal law requires this subject matter be covered by policy, controls this policy’s content, and 105 ILCS 5/10-20.69 (final citation pending), added by P.A. 101-531, requires that every two years, each district within an Illinois county served by an accredited Children’s Advocacy Center review all its existing sexual abuse investigation policies and procedures to ensure consistency with 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-531. Each district must also have a policy on bullying. 105 ILCS 5/27-23.7, amended by P.A. 100-137; see [sample policy 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment](#).

This policy’s list of protected classifications is identical to the list in 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. The protected classifications are found in 105 ILCS 5/27-23.7(a); 775 ILCS 5/1-103, amended by P.A. 101-221, ~~eff. 1-1-20~~; and 23 Ill.Admin.Code §1.240.

The list of protected classifications in sample policy 7:10, *Equal Educational Opportunities*, is different – it does not include the classifications that are exclusively identified in the bullying statute. 105 ILCS 5/27-23.7.

The Ill. Human Rights Act (IHRA) and an ISBE rule prohibit schools from discriminating against students on the basis of *sexual orientation and gender identity*. 775 ILCS 5/5-101(11); 23 Ill.Admin.Code §1.240. *Sexual orientation* is defined as the “actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person’s designated sex at birth.” 775 ILCS 5/1-103(O-1). *Gender identity* is included in the definition of sexual orientation in the Act. The Act permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103. 775 ILCS 5/1-102(A), added *order of protection status* to its list of protected categories. The IHRA’s jurisdiction is specifically limited to: (1) failing to enroll an individual, (2) denying access to facilities, goods, or services, or (3) failing to take corrective action to stop severe or pervasive harassment of an individual. 775 ILCS 5/5-102.2.

² See [fn 2 in sample policy 7:10, Equal Educational Opportunities](#), for a discussion about Executive Order (EO) 2019-11 establishing the Affirming and Inclusive Schools Task Force (Task Force) that made policy and administrative procedure recommendations to the Ill. State Board of Education (ISBE) that are discussed in a its publication [Sample District Policy and Administrative Procedures](#) at www.isbe.net/supportallstudents.

For boards that want to incorporate ISBE’s sample policy recommendation, insert the following in place of “gender identity”: gender; gender identity (whether or not traditionally associated with the student’s sex assigned at birth).

If the board inserts this option, it must also insert the options in f/ns 2 and 7 of policy 7:10, *Equal Educational Opportunities*. BUT NOTE THE PROTECTED STATUSES LIST IN THIS POLICY IS DIFFERENT AND SHOULD NOT BE COPIED FROM HERE INTO 7:10, *EQUAL EDUCATIONAL OPPORTUNITIES*.

property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.³

Commented [MB1]: Formerly footnote 2.

Sexual Harassment Prohibited

The District shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. Sexual harassment of students is prohibited.⁴ See policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Commented [MB2]: Formerly footnote 3.

Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or

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³ This list of examples of prohibited conduct is optional. While hate speech is not specifically mentioned in this paragraph, any hate speech used to harass or intimidate is banned. Hate speech without accompanying misconduct may be prohibited in response to actual incidences when hate speech interfered with the educational environment. *West v. Derby Unified Sch. Dist.*, 206 F.3d 1358 (10th Cir. 2000).

⁴ Two laws apply to sexual harassment of students in Illinois. Title IX of the Education Amendments of 1972 (Title IX) and the IHRA prohibits discrimination on the basis of sex and sexual harassment in any educational program or activity receiving federal financial assistance. 20 U.S.C. §1681. Title IX defines sexual harassment as conduct on the basis of sex that meets one or more of the following: (1) a district employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it denies a person equal access to the District's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in federal law. 34 C.F.R. §106.30. For purposes of Title IX, sexual harassment of students includes acts of sexual violence. See sample policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, and sample exhibit 2:265-E, *Title IX Sexual Harassment Glossary of Terms*. Consult the board attorney to ensure the non-discrimination coordinator and complaint managers are trained to appropriately respond to allegations of discrimination based upon sexual violence under Title IX's sexual harassment umbrella. Guidance See sample procedures 2:265-AP1, *Title IX Sexual Harassment Response*, and 2:265-AP2, *Formal Title IX Sexual Harassment Complaint Grievance Process*. documents highlight appropriate responses to sexual violence under Title IX. See ¶n 7 in policy 2:260, *Uniform Grievance Procedure* for a listing and links to these documents.

The sample policy's definition of sexual harassment does not distinguish between welcome and unwelcome behaviors—each is prohibited if it has a result described in sub-paragraph 1 or 2. See *Mary M. v. North Lawrence Community Sch. Corp.*, 131 F.3d 1220 (7th Cir. 1997) (An eighth grade student did not need to show that a school employee's sexual advances were unwelcome in order to prove sexual harassment.)

The IHRA prohibits any district employee or agent from sexually harassing a student, and defines sexual harassment as any unwelcome sexual advances or requests for sexual favors made to a student, or any conduct of a sexual nature toward a student, when: (1) such conduct has the purpose of substantially interfering with the student's educational performance or creating an intimidating, hostile or offensive educational environment; or (2) the district employee or agent either explicitly or implicitly makes the student's submission to or rejection of such conduct as a basis for making various enumerated education-related determinations. 775 ILCS 5/5A-201(E).

School districts are liable for damage awards for an employee's sexual harassment of a student in limited situations. Liability occurs only when a district official who, at a minimum, has authority to institute corrective action, has actual notice of and is deliberately indifferent to the employee's misconduct. *Gebser v. Lago Vista Independent Sch. Dist.*, 524 U.S. 274 (1998). Schools are liable in student-to-student sexual harassment cases when school agents are deliberately indifferent to sexual harassment, of which they have actual knowledge that is so severe, pervasive, and objectively offensive that it can be said to deprive the victims of access to the educational opportunities or benefits provided by the school. *Davis v. Monroe County Bd. of Educ.*, 526 U.S. 629 (1999). The Ill. Dept. of Human Rights investigates charges of sexual harassment in violation of the IHRA, and it is a civil rights violation when a school district fails to take corrective remedial or disciplinary action against an employee the district knows engaged in to stop severe or pervasive sexual harassment of an individual based upon a protected category. 775 ILCS 5/5A-102.2.

~~2. Has the purpose or effect of:~~

- ~~a. Substantially interfering with a student's educational environment;~~
- ~~b. Creating an intimidating, hostile, or offensive educational environment;~~
- ~~c. Depriving a student of educational aid, benefits, services, or treatment; or~~
- ~~d. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.~~

~~The terms *intimidating*, *hostile*, and *offensive* include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities. The term *sexual violence* includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.~~

Making a Report or Complaint

Students are encouraged to promptly report claims or incidences of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any ~~staff member~~employee with whom the student is comfortable speaking. ~~A student may choose to report to an employee person of the student's same sex gender.~~

Commented [MB3]: Formerly footnote 4.

~~An allegation that a student was a victim of any prohibited conduct perpetrated by school personnel, including a school vendor or volunteer, shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*, in addition to any response required by this policy. Reports under this policy will be considered a report under Board policy 2:260, *Uniform Grievance Procedure*, and/or Board policy 2:265, *Title IX Sexual Harassment Grievance Procedure*. The Nondiscrimination Coordinator and/or Complaint Manager shall process and review the report according to the appropriate grievance procedure.⁶~~

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

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

⁵ Using "or any ~~staff member~~employee with whom the student is comfortable speaking" is consistent with 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, ensures compliance with Title IX regulations providing that "any employee" of an elementary or secondary school who has notice of sexual harassment or allegations of sexual harassment is deemed to have *actual knowledge* which triggers a district's duty to respond. 34 C.F.R. §106.30. By including "any ~~staff member~~employee" in this list, 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.

⁶ If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state "The Nondiscrimination Coordinator, Title IX Coordinator, and/or Complaint Manager shall process and review the report according to the appropriate grievance procedure."

~~7~~ At least one of these individuals will be female, and at least one will be male. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. ~~8~~

Commented [MB4]: Formerly footnote 5.

Nondiscrimination Coordinator:

Name

Address

Email

Telephone

Complaint Managers:

_____ Name	_____ Name
_____ Address	_____ Address
_____ Email	_____ Email
_____ Telephone	_____ Telephone

The Superintendent shall use reasonable measures to inform staff members and students of this policy by including:

1. For students, age-appropriate information about the contents of this policy in the District's student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school. ~~9~~

Commented [MB5]: Formerly footnote 7.

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

~~7~~ Title IX regulations require districts to identify the person, address, and telephone number of the individual responsible for coordinating the district's compliance efforts. The U.S. Dept. of Education's Office for Civil Rights prefers that school districts make Title IX information and coordinators visible to the community, and it has provided materials designed to remind schools of their obligation to designate a Title IX coordinator. These materials include: (a) a *Dear Colleague Letter on Title IX Coordinators*; (b) a *Letter to Title IX Coordinators* that provides them with more information about their role; and (c) a *Title IX Resource Guide* that includes an overview of Title IX's requirements with respect to several key issues. See www2.ed.gov/policy/rights/guid/ocr/title-ix-coordinators.html.

While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

Each district must communicate its bullying policy to students and their parents/guardians. 105 ILCS 5/27-23.7, amended by P.A. 100-137; see [sample policy 7:180](#), *Prevention of and Response to Bullying, Intimidation, and Harassment*.

~~8~~ Title IX regulations require districts to identify the name, office address, email address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator." supplement the previous sentence to state "The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.

2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

~~Supervisors, Building Principals, or administrators~~ Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager.¹⁰ ~~Any employee-supervisor or administrator~~ who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

~~The District shall investigate alleged harassment of students when the Nondiscrimination Coordinator or a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.~~

~~For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee¹¹ shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.~~

~~For any other alleged student harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.~~

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

⁹ In addition to notifying students of ~~the policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Sexual Harassment Grievance Procedure*~~, a district must notify them of the name, office address, email address, and telephone number of district's Title IX Coordinator ~~person(s) designated to coordinate the district's compliance with Title IX.~~ 34 C.F.R. ~~Part~~ §106.8(a). 105 ILCS 5/10-20.69 (final citation pending), added by P.A. 101-418, ~~eff. 1-1-20~~, requires districts to maintain and implement an *age-appropriate* policy on sexual harassment that is included in the school district's student handbook, as well as on a district's website and, if applicable, other areas where such information is posted in each school. The law does not expressly state that the age-appropriate policy is for students; however, that is the most logical interpretation. In practice, most districts maintain a student handbook for each building. Because the law only requires one policy, this policy manages the age-appropriate requirement by directing age-appropriate explanations of the policy be included in the building-level student handbook(s). Student handbooks can be developed by the building principals, but should be reviewed and approved by the superintendent and school board.

The Illinois Principals Association maintains a handbook service that coordinates with PRESS material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/resources/model-student-handbook.

¹⁰ ~~If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state "Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator, Title IX Coordinator, or a Complaint Manager."~~

¹¹ ~~"Nondiscrimination Coordinator or designee" is used where Title IX is potentially implicated. In contrast, if Title IX is likely not implicated then "Nondiscrimination Coordinator or a Complaint Manager or designee" is used (see next paragraph in policy text). If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, delete "Nondiscrimination" and insert "Title IX" in its place.~~

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel ¹²

Commented [MB6]: Formerly footnote 8.

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity. ¹³

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. ~~In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, Title IX Sexual Harassment Grievance Procedure, or policy 2:260, Uniform Grievance Procedure any response required by this policy.~~

Enforcement

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action ~~up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.~~

Retaliation Prohibited

Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see policies 2:260, Uniform Grievance Procedure, and 2:265, Title IX Sexual Harassment Grievance Procedure).

Students should report allegations of retaliation to the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

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

¹² ~~Required for districts located within a county served by an accredited Children's Advocacy Center (CAC). Delete this subhead if your school district is within a county not served by an accredited Children's Advocacy Center (CAC). 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-531, governs the investigation of an *alleged incident of sexual abuse* of any child within any Illinois counties served by a CAC). For a map of accredited CACs, and to identify a CAC that may serve your district, see www.childrensadvocacycentersofillinois.org/about/map. For further discussion see f/n 14 in policy 5:90, *Abused and Neglected Child Reporting*.~~

¹³ ~~105 ILCS 5/22-85(b) (final citation pending), added by P.A. 101-531. For further discussion see f/n 14 in policy 5:90, *Abused and Neglected Child Reporting*.~~

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972-; 34 C.F.R. Part 106.
105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
23 Ill.Admin.Code §1.240 and Part 200.
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Franklin v. Gwinnett Co. Public Schs., 503 U.S. 60 (1992).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).
West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), [2:265 \(Title IX Sexual Harassment Grievance Procedure\)](#), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

DRAFT

Students

Prevention of and Response to Bullying, Intimidation, and Harassment 1

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important District goals.

Bullying on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic **is prohibited** in each of the following situations: ²

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the School District or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any nonschool-related activity, function, or program.

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¹ All districts must have a policy on bullying. 105 ILCS 5/27-23.7, amended by P.A. 100-137. Every two years, each district must review and re-evaluate this policy, make necessary and appropriate revisions, and file the updated policy with ISBE. This sample policy's first paragraph allows a school board to consider its goals for preventing bullying and remedying its consequences; it may be amended.

In addition to a bullying prevention policy, all districts must have a policy on student behavior. 105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280. Boards must, in consultation with their parent-teacher advisory committees and other community-based organizations, address aggressive behavior, including bullying, in their student behavior policy. See 7:190, *Student Behavior*; 7:190-E1, *Aggressive Behavior Reporting Letter and Form*.

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. See f/n 7, below.

² This paragraph and its subparts 1-4 are from the bullying prevention statute. 105 ILCS 5/27-23.7(a); see also 775 ILCS 5/1-103 and 23 Ill.Admin.Code §1.240. The protected statuses are mandated by the bullying prevention statute; the list of protected statuses is identical to the list in 7:20, *Harassment of Students Prohibited*.

Definitions from 105 ILCS 5/27-23.7³

Bullying includes *cyberbullying* and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

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

Cyberbullying means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. *Cyberbullying* includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of *bullying*. *Cyberbullying* also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of *bullying*.

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.

School personnel means persons employed by, on contract with, or who volunteer in a school district, including without limitation school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

Bullying Prevention and Response Plan

The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below; each

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³ All definitions are directly from 105 ILCS 5/27-23.7, amended by P.A. 100-137.

numbered requirement, 1-12, corresponds with the same number in the list of required policy components in 105 ILCS 5/27-23.7(b) 1-12. ⁴

1. The District uses the definition of *bullying* as provided in this policy. ⁵
2. Bullying is contrary to State law and the policy of this District. However, nothing in the District’s bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any staff member with whom the student is comfortable speaking.⁶ Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District named officials or any staff member. The District named officials and all staff members are available for help with a bully or to make a report about bullying.⁷ Anonymous reports are also accepted.

Nondiscrimination Coordinator: ⁸

Name

Address

Email

Telephone

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

⁴ As each numbered requirement, 1-12, corresponds with the same number in 5/27-23.7(b)1-12, there are no reference citations in footnotes. All non-statutory requirements, plus alternatives and optional provisions, are described in footnotes.

⁵ A board may augment the School Code requirement by using this alternative:

Using the definition of *bullying* as provided in this policy, the Superintendent or designee shall emphasize to the school community that: (a) the District prohibits bullying, and (b) all students should conduct themselves with a proper regard for the rights and welfare of other students. This may include a process for commending or acknowledging students for demonstrating appropriate behavior.

⁶ The statute requires that the policy contain the email address and telephone number for the staff person(s) responsible for receiving bullying reports. Using the district Nondiscrimination Coordinator and Complaint Managers is consistent with 2:260, *Uniform Grievance Procedure*. While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored. A telephone number for making anonymous reports may also be added.

⁷ 105 ILCS 5/27-23.7(d), amended by P.A. 100-137, requires that “[s]chool personnel available for help with a bully or to make a report about bullying” be made known to parents/guardians, students, and school personnel.

⁸ Sample policy 2:260, *Uniform Grievance Procedure*, states that a district’s Nondiscrimination Coordinator also serves as its Title IX Coordinator. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, list the Title IX and Nondiscrimination Coordinators’ names separately in this policy. Best practice is that throughout the district’s board policy manual, the same individual be named as Nondiscrimination Coordinator. In contrast, Complaint Managers identified in individual policies may vary depending upon local district needs.

Complaint Managers:

Name	Name
Address	Address
Email	Email
Telephone	Telephone

4. Consistent with federal and State laws and rules governing student privacy rights, the Superintendent or designee shall promptly inform the parent(s)/guardian(s) of every student involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. ⁹
5. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things:
 - a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident.
 - b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
 - c. Notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible after the report is received.
 - d. Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

The Superintendent or designee shall investigate whether a reported incident of bullying is within the permissible scope of the District’s jurisdiction and shall require that the District provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs. ¹⁰

6. The Superintendent or designee shall use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services. ¹¹

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⁹ 105 ILCS 5/10-20.14 contains a similar requirement. See 7:190-E1, *Aggressive Behavior Reporting Letter and Form*.

¹⁰ This sentence contains requirements found in 105 ILCS 5/27-23.7(d).

¹¹ A grant may be available from the Ill. State Board of Education for the promotion of a safe and healthy learning environment. 105 ILCS 5/2-3.176, added by P.A. 101-438. A list of grant funding opportunities is available at: www.isbe.net/Pages/Grants.aspx.

7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. A student's act of reprisal or retaliation will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
8. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
9. The District's bullying prevention and response plan must be based on the engagement of a range of school stakeholders, including students and parents/guardians.
10. The Superintendent or designee shall post this policy on the District's website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty. ¹²
11. The Superintendent or designee shall assist the Board with its evaluation and assessment of this policy's outcomes and effectiveness. This process shall include, without limitation:
 - a. The frequency of victimization;
 - b. Student, staff, and family observations of safety at a school;
 - c. Identification of areas of a school where bullying occurs;
 - d. The types of bullying utilized; and
 - e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. The Superintendent or designee must post the information developed as a result of the policy evaluation on the District's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students.

12. The Superintendent or designee shall fully implement the Board policies, including without limitation, the following: ¹³

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

¹² 105 ILCS 5/27-23.7(b)(10), amended by P.A. 100-137.

¹³ The statute requires that the bullying policy *be consistent with* other board policies. The list of policies may be deleted and the following alternative used: "12. The District's bullying prevention plan must be consistent with other Board policies." If a policy list is included, be sure the referenced policies were adopted locally and amend the list accordingly.

The bullying statute does not identify staff member duties regarding the prevention of or response to student bullying. The following optional provision addresses staff member responsibilities and may be added as a new paragraph 13:

13. The Superintendent or designee shall fully inform staff members of the District's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes each of the following:
 - a. Communicating the District's expectation and State law requirement that teachers and other certificated or licensed employees maintain discipline.

- a. 2:260, *Uniform Grievance Procedure*. A student may use this policy to complain about bullying.
- b. 2:265, Title IX Sexual Harassment Grievance Procedure. Any person may use this policy to complain about sexual harassment in violation of Title IX of the Education Amendments of 1972.
- ~~b.c.~~ 6:60, *Curriculum Content*. Bullying prevention and character instruction is provided in all grades in accordance with State law.
- ~~e.d.~~ 6:65, *Student Social and Emotional Development*. Student social and emotional development is incorporated into the District’s educational program as required by State law.
- ~~e.e.~~ 6:235, *Access to Electronic Networks*. This policy states that the use of the District’s electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use.
- ~~e.f.~~ 7:20, *Harassment of Students Prohibited*. This policy prohibits *any* person from harassing, intimidating, or bullying a student based on an identified actual or perceived characteristic (the list of characteristics in 7:20 is the same as the list in this policy).
- ~~f.g.~~ 7:185, *Teen Dating Violence Prohibited*. This policy prohibits teen dating violence on school property, at school sponsored activities, and in vehicles used for school-provided transportation.
- ~~g.h.~~ 7:190, *Student Behavior*. This policy prohibits, and provides consequences for, hazing, bullying, or other aggressive behaviors, or urging other students to engage in such conduct.
- ~~h.i.~~ 7:310, *Restrictions on Publications; Elementary Schools*, and 7:315, *Restrictions on Publications; High Schools*. These policies prohibit students from and provide consequences for: (1) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (2) creating and/or distributing written, printed, or electronic material, including photographic material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members. ¹⁴

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

- b. Establishing the expectation that staff members: (1) intervene immediately to stop a bullying incident that they witness or immediately contact building security and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
- c. Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs.
- d. Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying.

¹⁴ For elementary districts, delete: ~~and 7:315, *Restrictions on Publications; High Schools*~~ and delete the Cross Reference to 7:315, *Restrictions on Publications; High Schools*. For high school districts, delete ~~7:310, *Restrictions on Publications; Elementary Schools*, and~~ and delete the Cross Reference to 7:310, *Restrictions on Publications; Elementary Schools*. In both cases, revise the beginning of the sentence to read: “These policies prohibit students from and provides.”

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

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), [2:265 \(Title IX Sexual Harassment Grievance Procedure\)](#), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

DRAFT

Students

Teen Dating Violence Prohibited 1

Engaging in teen dating violence that takes place at school, on school property, at school-sponsored activities, or in vehicles used for school-provided transportation is prohibited.² For purposes of this policy, the term *teen dating violence* occurs whenever a student who is 13 to 19 years of age uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship.³

The Superintendent or designee shall develop and maintain a program to respond to incidents of teen dating violence that:⁴

1. Fully implements and enforces each of the following Board policies:⁵
 - a. 2:260, Uniform Grievance Procedure. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if he or she believes that the School Board, its employees, or its agents have violated his or her rights under the State or federal Constitution, State or federal statute, Board policy, or various enumerated bases.
 - b. 2:265, Title IX Sexual Harassment Grievance Procedure. This policy prohibits any person from engaging in sexual harassment in violation of Title IX of the Education Amendments of 1972. Prohibited conduct includes but is not limited to sexual assault, dating violence, domestic violence, and stalking.
 - a-c. 7:20, Harassment of Students Prohibited. This policy prohibits any person from harassing, intimidating, or bullying a student based on the student's actual or perceived characteristics of sex; sexual orientation; gender identity; and gender-related identity or expression (this policy includes more protected statuses).

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

¹ All school boards must have a policy on teen dating violence. 105 ILCS 110/3.10. This sample policy is designed to align with a district's already-existing procedures for reporting bullying and school violence. See f/n 7. The curriculum components for teen dating violence education, which apply to districts with students enrolled in grades 7 through 12, are listed in 6:60-AP, *Comprehensive Health Education Program*.

² 105 ILCS 110/3.10(b)(1). School officials must proceed carefully before disciplining a student for out-of-school conduct. A school's authority over off-campus conduct is much more limited than incidents that occur on school grounds. However, school officials may generally: (1) remove a student from extracurricular activities when the conduct code for participation requires students to conduct themselves at all times as good citizens and exemplars of the school (see [sample policy 7:240, Conduct Code for Participants in Extracurricular Activities](#)); and (2) suspend or expel a student from school attendance when the student's expression causes substantial disruption to school operations.

³ 105 ILCS 110/3.10(a). For districts that wish to broaden the ages (e.g., perhaps include 11-12 year olds in a middle school setting), delete the following phrase from the first sentence: "~~who is 13 to 19 years of age~~". The law defines *dating* or *dating relationship* as an "ongoing social relationship of a romantic or intimate nature between two persons." The terms do not include "a casual relationship or ordinary fraternization between two persons in a business or social context."

⁴ Required by 105 ILCS 110/3.10(b)(3).

⁵ Be sure the referenced board policies, as adopted locally, contain the language paraphrased in this policy. If not, either substitute similar language from the locally adopted board policies on the same topics, or just insert the titles from relevant locally adopted policies.

The statutory content requirements for a teen dating policy include "establish[ing] procedures for the manner in which employees of a school are to respond to incidents of teen dating violence." This policy fulfills this requirement by incorporating by reference the following administrative procedure: 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*. This means that 7:180-AP1 should be considered to be part of this policy.

b.d. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-related events and electronically. Prohibited conduct includes threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

2. Encourages anyone with information about incidents of teen dating violence to report them to any of the following individuals: **6**
 - a. Any school staff member. School staff shall respond to incidents of teen dating violence by following the District's established procedures for the prevention, identification, investigation, and response to bullying and school violence. **7**
 - b. The Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager identified in policy 7:20, *Harassment of Students Prohibited*. **8**
3. Incorporates age-appropriate instruction in grades 7 through 12, in accordance with the District's comprehensive health education program in Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*. **9**
4. Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager. **10**
5. Notifies students and parents/guardians of this policy. **11**

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6 105 ILCS 110/3.10(b)(4), requires the policy to identify by job title which school officials are responsible for receiving reports related to teen dating violence.

7 Id. at f/ns 5 ~~&~~and 6. Sexual violence is one listed component of teen dating violence. 105 ILCS 110/3.10(a). Sexual violence has also been found by the Ill. Gen. Assembly to be a component of bullying and school violence. 105 ILCS 5/27-23.7. Thus, identifying *any school staff member* is consistent with 7:180-AP1, *Prevention, Identification, Investigation, and Response to Bullying*, which uses the student-friendly reporting system outlined in 7:180-AP1, E2, *Be a Hero by Reporting Bullying*.

8 Id. Under any reporting system, a report involving bullying and school violence that is based upon a protected status (often teen dating violence will involve conduct based upon the target's sex) must be referred to the district's Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager (7:20, *Harassment of Students Prohibited*). Customize this list to reflect local conditions. These individuals may also take reports directly from students.

9 Required by 105 ILCS 110/3.10(b)(2). The curriculum-specific components for teen dating violence education are listed in 6:60-AP, *Comprehensive Health Education Program*.

10 Id. For boards that add the optional paragraphs in policy 5:100, *Staff Development Program*, add the phrase "and policy 5:100, *Staff Development Program*."

11 Required by 105 ILCS 110/3.10(b)(5). Boards must communicate this policy to students and their parents/guardians. This may be accomplished, in part, by (1) sending 7:185-E, *Memo to Parents/Guardians Regarding Teen Dating Violence*, and (2) amending the district's anti-bullying campaign statement(s), such as the following, in the student handbook and school website:

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

Incorporated
by Reference: 7:180-AP1, (Prevention, Identification, Investigation, and Response to Bullying-)

LEGAL REF.: 105 ILCS 110/3.10.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities)

DRAFT

General Personnel

Workplace Harassment Prohibited 1

The School District expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual's actual or perceived race, color, religion², national origin, ancestry, sex, sexual orientation, age, citizenship status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other protected status identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Harassment of students,

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

¹ State or federal law controls this policy's content. Federal law requires districts to take action to prevent sexual harassment and to disseminate a policy regarding its prohibition of sex discrimination. 29 C.F.R. §1604.11(f); 34 C.F.R. §106.8(b)9. State law requires districts to establish a policy to prohibit sexual harassment. 5 ILCS 430/70-5(a), amended by P.A.s 100-554 and 101-221. See ¶n 3 below. Harassment based on a protected status is a form of discrimination that violates many State and federal laws (see the policy's Legal References).

Workplace harassment policies have typically focused on *sexual* harassment since it receives the most attention. However, the broad prohibitions against discrimination in State and federal civil rights laws will cover harassing conduct that is motivated by animus against any protected status. See *Porter v. Erie Foods International, Inc.*, 576 F.3d 629 (7th Cir. 2009) (recognizing a cause of action for race harassment). For a list of protected statuses, see [sample](#) policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. This policy prohibiting harassment has a separate section on sexual harassment because of the extensive statutory and case law regarding it.

Under the Ill. Human Rights Act (IHRA), harassment is unlawful if it has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. 775 ILCS 5/2-101(E-1), added by P.A. 101-221, ~~eff. 1-1-20~~. *Working environment* is not limited to a physical location to which an employee is assigned. *Id.* Harassment is unlawful on the basis of the specifically-listed categories in this policy whether that status is *actual or perceived*. *Id.*

An employer is liable under Title VII of the Civil Rights Act of 1964 (Title VII) for an employee's harassment of a co-worker if the employer was negligent with respect to the offensive behavior by, for example, failing to take remedial action when it knew or should have known about the harassment. 42 U.S.C. §2000e et seq. An employer is liable under the IHRA for harassment by its nonmanagerial and nonsupervisory employees if it becomes aware of the conduct and fails to take reasonable corrective measures. 775 ILCS 5/2-102(A), amended by P.A. 101-221, ~~eff. 1-1-20~~. However, when the perpetrator is the victim's supervisor, the employer will be vicariously liable for the supervisor's actions. Lack of knowledge of a supervisor's misconduct is no defense. *Burlington Industries v. Ellerth*, 524 U.S. 742 (1998); *Faragher v. City of Boca Raton*, 524 U.S. 775 (1998). A *supervisor* is someone who has the authority to demote, discharge, or take other negative job action against the victim. *Vance v. Ball State University*, 133 S.Ct. 2434 (2013). Note that the IHRA, (775 ILCS 5/2-102(D)) imposes strict liability on the employer when an employee has been sexually harassed by supervisory personnel regardless of whether the harasser has any authority over the complainant. *Sangamon County Sheriff's Dept. v. Ill. Human Rights Com'n.*, 233 Ill.2d 125 (Ill. 2009). Additionally, under the IHRA, an employer is liable for the harassment of *nonemployees* by nonmanagerial and nonsupervisory employees if it becomes aware of the conduct and fails to take reasonable corrective measures. 775 ILCS 5/2-102(A-10) and (D-5), added by P.A. 101-221, ~~eff. 1-1-20~~. Nonemployees are those who are directly performing services for an employer pursuant to a contract, such as contractors or consultants. *Id.*

Not all harassing conduct is unlawful discrimination, even if it is disruptive and hurtful. If a board wants to include language in this policy prohibiting employees from engaging in intimidating or offensive conduct that is *not* a civil rights violation, it should consult the board attorney.

² Section 2-102 of the IHRA, amended by P.A. 100-100, contains a *religious discrimination* subsection. It expressly prohibits employers from requiring a person to violate a sincerely held religious belief to obtain or retain employment unless, after engaging in a bona fide effort, the employer demonstrates that it is unable to reasonably accommodate the employee's or prospective employee's sincerely held religious belief, practice, or observance without undue hardship on the conduct of the employer's business. Religious beliefs include, but are not limited to: the wearing of any attire, clothing, or facial hair in accordance with the requirements of his/her religion. 775 ILCS 5/2-102(E-5). Employers may, however, enact a dress code or grooming policy that restricts attire, clothing, or facial hair to maintain workplace safety or food sanitation. *Id.*

including, but not limited to, sexual harassment, is prohibited by Board policies [2:260, Uniform Grievance Procedure: 2:265, Title IX Sexual Harassment Grievance Procedure: 7:20, Harassment of Students Prohibited: 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment: and 7:185, Teen Dating Violence Prohibited.](#)

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

Sexual Harassment Prohibited ³

The ~~School~~ District shall provide a workplace environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. The District provides annual sexual harassment prevention training in accordance with State law. ⁴

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection

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³ The IHRA (775 ILCS 5/2-102(D)) provides that sexual harassment is a civil rights violation: For any employer, employee, agent of any employer, employment agency or labor organization to engage in sexual harassment; provided, that an employer shall be responsible for sexual harassment of the employer's employees by non-employees or non-managerial and non-supervisory employees only if the employer becomes aware of the conduct and fails to take reasonable corrective measures.

See sample policy 2:265, Title IX Sexual Harassment Grievance Procedure, for the definition of Title IX sexual harassment (20 U.S.C. §1681 et seq.), and see f/n 3 of it for examples of employee sexual harassment that may violate Title IX. Title IX's reach is broad because an alleged complainant or alleged respondent may be anyone in the district's educational program or activity. This includes applicants for employment, students, parents/guardians, any employee, and third parties. Districts are liable for Title IX sexual harassment when any district employee has actual knowledge of sexual harassment or allegations of sexual harassment against anyone in the district (except when the only employee with knowledge is the perpetrator of the alleged sexual harassment). 34 C.F.R. §106.30.

The State Officials and Employees Ethics Act (SOEEA) (5 ILCS 430/70-5(a), amended by P.A.s 100-554 and 101-221) requires governmental entities (including school districts) to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment. Unlike 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.

The policy must include, at a minimum: (1) a prohibition on sexual harassment; (2) details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Ill. Dept. of Human Rights (IDHR); (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the SOEEA, the Whistleblower Act (740 ILCS 174/), and the IHRA (775 ILCS 5/); (4) the consequences: (a) of a violation of the prohibition on sexual harassment and (b) for knowingly making a false report; and (5) a mechanism for reporting and independent review of allegations of sexual harassment made against an elected official of the governmental unit by another elected official of a governmental unit. 5 ILCS 430/70-5(a), amended by P.A.s 100-554 and 101-221. *PSample policy 2:105, Ethics and Gift Ban,* covers item (5) of this list.

⁴ 775 ILCS 5/2-109, added by P.A. 101-221, ~~eff. 1-1-20~~. See *sample policy 5:100, Staff Development Program*, at f/n 4. Districts may use a free, online model program to be offered by the Ill. Dept. of Human Rights (IDHR), develop their own program, or utilize a combination of the two, as long as it includes the following, at a minimum: (1) an explanation of sexual harassment consistent with the IHRA, (2) examples of conduct that constitutes unlawful harassment, (3) a summary of relevant federal and State law concerning sexual harassment and remedies available to victims of sexual harassment, and (4) a summary of responsibilities of employers in the prevention, investigation, and corrective measures of sexual harassment. *Id.* at 5/2-109(B), added by P.A. 101-221, ~~eff. 1-1-20~~. For IDHR's online model program, see its *Model Sexual Harassment Prevention Training Program* page at: <https://www2.illinois.gov/dhr/Training/Pages/State-of-Illinois-Sexual-Harassment-Prevention-Training-Model.aspx>. Employers that fail to comply with this training requirement may face financial penalties. *Id.* Training on other types of workplace harassment is not required by law; however it is best practice.

of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.⁵ Sexual harassment prohibited by this policy includes, but is not limited to, verbal, physical, or other conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Report or Complaint

Employees and *nonemployees*⁶ (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with the District, including contractors, and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual's same gender. Every effort should be made to file such reports or complaints as soon as possible, while facts are known and potential witnesses are available.

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⁵ This definition is from State and federal law. 775 ILCS 5/2-101(E) and 29 C.F.R. §1604.11. *Working environment* is not limited to a physical location to which an employee is assigned. 775 ILCS 5/2-101(E), amended by P.A. 101-221, ~~eff. 1-1-20~~. The harassing conduct must be severe or pervasive so as to alter the conditions of the employee's work environment by creating a hostile or abusive situation. *Williams v. Waste Management*, 361 F.3d 1021 (7th Cir. 2004). The surrounding circumstances, expectations, and relationships will distinguish between teasing or rough-housing and conduct that a reasonable person would find severely hostile or abusive. In addition, while same-sex gender harassment claims are actionable, the victim must show that s/he suffered disadvantageous employment conditions to which members of the other sex were not exposed. *Oncale v. Sundowner Offshore Services*, 523 U.S. 75 (1998).

⁶ 775 ILCS 5/2-102(A-10) and (D-5), added by P.A. 101-221. See also f/n 1, above, for discussion regarding nonemployees.

Aggrieved individuals, if they feel comfortable doing so, should directly inform the person engaging in the harassing conduct or communication that such conduct or communication is offensive and must stop.

Whom to Contact with a Report or Complaint ⁷

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager. ⁸

Employee may also report claims using Board policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the ~~complaint~~ claim according to that policy, in addition to any response required by this policy.

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. ⁹

Nondiscrimination Coordinator:

Name

Address

Email

Telephone

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⁷ ~~While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored. Title IX regulations require districts to identify the name, address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. A policy should not be adopted with a person's name in it; rather, the identifying information can be added and amended as necessary.~~

⁸ 5 ILCS 430/70-5(a), amended by P.A. 100-554, requires that a school board policy prohibiting sexual harassment include details for reporting an allegation of sexual harassment, including options for making a confidential report to a supervisor and an ethics officer. 5 ILCS 430/20-23 defines *ethics officers* as being designated by State agencies under the jurisdiction of the Executive Ethics Commission. School districts are not State agencies (5 ILCS 430/1-5) and do not have ethics officers; thus, this sample policy substitutes Complaint Manager for ethics officer. Note also that the IDHR has established a Sexual Harassment Hotline Call Center and website to help the public find resources and assistance for the filing of sexual harassment complaints. The hotline can be reached Monday through Friday with the exception of State holidays, between the hours of 8:30 a.m. and 5:00 p.m., at 1-877-236-7703. See www2.illinois.gov/sites/sexualharassment/Pages/default.aspx. All communications received by the IDHR are exempt from disclosure under the Freedom of Information Act (FOIA).

⁹ ~~Title IX regulations require districts to identify the name, office address, email address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator." and supplement the previous sentence to state "The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.~~

Complaint Managers:

_____	_____
Name	Name
_____	_____
Address	Address
_____	_____
Email	Email
_____	_____
Telephone	Telephone

Investigation Process

~~Supervisors, Building Principals, or administrators~~ Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager.¹⁰ ~~Any employee-supervisor or administrator~~ who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District’s duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment. ~~The District shall investigate alleged workplace harassment when the Nondiscrimination Coordinator or a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.~~

~~For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee¹¹ shall consider whether action under policy 2:265, Title IX Sexual Harassment Grievance Procedure, should be initiated.~~

~~For any other alleged workplace harassment that does not require action under policy 2:265, Title IX Sexual Harassment Grievance Procedure, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policy 2:260, Uniform Grievance Procedure, and/or 5:120, Employee Ethics; Conduct, and Conflict of Interest,¹² should be initiated, regardless of whether a written report or complaint is filed.~~

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel ¹³

An alleged incident of sexual abuse is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor

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¹⁰ If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state “Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator, Title IX Coordinator, or a Complaint Manager.”

¹¹ “Nondiscrimination Coordinator or designee” is used where Title IX is potentially implicated. In contrast, if Title IX is likely not implicated then “Nondiscrimination Coordinator or a Complaint Manager or designee” is used (see next paragraph in policy text). If the district’s Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, delete “Nondiscrimination” and insert “Title IX” in its place.

¹² See administrative procedure 5:120-AP2, Employee Conduct Standards.

¹³ Required for districts located within a county served by an accredited Children’s Advocacy Center (CAC). Delete this subhead if your school district is within a county not served by an accredited CAC. 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-531 (governing the investigation of an alleged incident of sexual abuse of any child within any Illinois counties served by a CAC). For further discussion see f/n 14 in sample policy 5:90, Abused and Neglected Child Reporting.

or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement ¹⁴

A violation of this policy by an employee may result in discipline, up to and including discharge. ¹⁵ A violation of this policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, *i.e.g.*, vendor, parent, invitee, etc. Any ~~person~~ ~~employee~~ making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee that may be up to and including discharge. ¹⁶

Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing ~~bona fide~~ complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/). ¹⁷

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¹⁴ See *Berry v. Delta Airlines*, 260 F.3d 803, 811 (7th Cir. 2001) ("If an employer takes reasonable steps to discover and rectify the harassment of its employees ... it has discharged its legal duty.")

In addition to violating other civil rights laws, a school district violates the *public accommodations* article in the IHRA if it fails to take corrective action to stop severe or pervasive harassment. 775 ILCS 5/5-102 and 5/5-102.2.

¹⁵ 5 ILCS 430/70-5(a), amended by P.A. 100-554 (consequences of a violation of the prohibition on sexual harassment). When discharge is the penalty, examine 50 ILCS 205/3c, added by P.A. 100-1040. It requires a school district to post on its website and make available to news media specific information about severance agreements that it enters into because an employee or contractor was found to have engaged in sexual harassment or sexual discrimination, as defined by the IHRA or Title VII. *Id.* Additionally, under the Workplace Transparency Act (WTA), employers may not require confidentiality clauses in settlement or termination agreements involving alleged unlawful employment practices under federal or State civil rights laws, except under specific conditions. 820 ILCS 96/1-30, added by P.A. 101-221, ~~eff. 1-1-20~~.

Prior to the passage of 50 ILCS 205/3c, added by P.A. 100-1040, and the WTA, members of the public could already access copies of severance agreements between school districts and their former employees under FOIA. The Ill. Atty. Gen. Public Access Counselor (PAC) directed a public body to release a settlement agreement that arose out of claims of sexual harassment. PAO 14-4. The PAC noted that the public body could not withhold the entire settlement agreement under 5 ILCS 140/7(1)(c), which exempts personal information that would constitute a clearly unwarranted invasion of privacy. Instead, it could redact personal information from the agreement, such as the complainants' names in order to protect their privacy. *Id.* However, data regarding settlement agreements involving allegations of sexual harassment or other unlawful discrimination that an employer must report to IDHR under 775 ILCS 5/2-108 is categorically exempt from FOIA. 5 ILCS 140/7.5(oo), added by P.A. 101-221, ~~eff. 1-1-20~~. See f/n 6 in [sample policy 2:260, *Uniform Grievance Procedure*](#), for more discussion about reconciling 50 ILCS 205/3c, added by P.A. 100-1040, with another new law, the Government Severance Pay Act (GSPA) (5 ILCS 415/10(a)(1), added by P.A. 100-895), which prohibits school district employees with contract provisions for severance pay to receive any severance pay if they are fired for *misconduct* by the board.

¹⁶ 5 ILCS 430/70-5(a), amended by P.A. 100-554 (consequences for knowingly making a false report of sexual harassment).

¹⁷ *Id.* (prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the SOEEA, the Whistleblower Act (740 ILCS 174/), and the IHRA (775 ILCS 5/)).

Crawford v. Metro. Gov't of Nashville & Davidson County, 555 U.S. 271 (2009) (holding the anti-retaliation provision in EEOA protects an employee who spoke out about harassment, not only on his or her own initiative, but also in answering questions during an employer's internal investigation).

Commented [MB1]: Formerly footnote 9.

Commented [MB2]: Formerly footnote 10.

Commented [MB3]: Formerly footnote 11.

Commented [MB4]: Formerly footnote 12.

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

Recourse to State and Federal Fair Employment Practice Agencies ¹⁸

The District encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U.S. Equal Employment Opportunity Commission.

The Superintendent shall also use reasonable measures to inform staff members, applicants, and nonemployees of this policy, which shall include posting on the District website and/or making this policy available in the District's administrative office, and including this policy in the appropriate handbooks. ¹⁹

Commented [MB5]: Formerly footnote 13.

Commented [MB6]: Formerly footnote 14.

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¹⁸ 5 ILCS 430/70-5(a), amended by P.A. 100-554, (how an individual can report an allegation of sexual harassment, including options for making a confidential report to the Inspector General or the IDHR). This sample policy does not reference the Inspector General because the Inspector General does not have jurisdiction over public school districts. 5 ILCS 430/1. School districts must also annually disclose to IDHR certain data about *adverse judgment or administrative rulings* made against them where there was a finding of sexual harassment or unlawful discrimination under federal, State, or local laws. 775 ILCS 5/2-108, added by P.A. 101-221, ~~eff. 1-1-20~~.

¹⁹ A district must notify employees of the grievance procedure and the person(s) designated to coordinate the district's compliance with Title IX. 34 C.F.R. §106.8(~~a~~). The nondiscrimination coordinator can be the same individual for both this policy and policy 7:10, *Equal Educational Opportunities*, as well as the complaint manager in policy 2:260, *Uniform Grievance Procedure*. A comprehensive faculty handbook can provide required notices, along with other important information to recipients. The handbook can be developed by the building principal, but should be reviewed and approved by the superintendent and board. Any *working conditions* contained in the handbook may be subject to mandatory collective bargaining.

Informing nonemployees is not required by law. However, given the potential for employer liability under the IHRA for harassment of nonemployees, best practice is to publicize this policy to those individuals as well.

LEGAL REF.: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.; ~~implemented by~~
29 C.F.R. §1604.11.
Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq.; ~~implemented~~
~~by~~ 34 C.F.R. Part 106.
State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a).
Ill. Human Rights Act, 775 ILCS 5/2-101(E) and (E-1), 5/2-102(A), (A-10), (D-5),
5/2-102(E-5), 5/2-109, 5/5-102, and 5/5-102.2.
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
Burlington Industries v. Ellerth, 524 U.S. 742 (1998).
Crawford v. Metro. Gov't of Nashville & Davidson County, 555 U.S. 271 (2009).
Faragher v. City of Boca Raton, 524 U.S. 775 (1998).
Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).
Harris v. Forklift Systems, 510 U.S. 17 (1993).
Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).
Oncale v. Sundowner Offshore Services, 523 U.S. 75 (1998).
Porter v. Erie Foods International, Inc., 576 F.3d 629 (7th Cir. 2009).
Sangamon County Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill.
2009).
Vance v. Ball State University, 133 S. Ct. 2434 (2013).

CROSS REF.: 2:260 (Uniform Grievance Procedure), [2:265 \(Title IX Sexual Harassment Grievance Procedure\)](#), [4:60 \(Purchases and Contracts\)](#), 5:10 (Equal Employment Opportunity and Minority Recruitment), [5:90 \(Abused and Neglected Child Reporting\)](#), [5:120 \(Employee Ethics; Conduct; and Conflict of Interest\)](#), 7:20 (Harassment of Students Prohibited), [8:30 \(Visitors to and Conduct on School Property\)](#)

Students

Harassment of Students Prohibited 1

Bullying, Intimidation, and Harassment Prohibited

No person, including a School District employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity²; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of

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¹ State or federal law requires this subject matter be covered by policy, controls this policy's content, and 105 ILCS 5/10-20.69 (final citation pending), added by P.A. 101-531, requires that every two years, each district within an Illinois county served by an accredited Children's Advocacy Center review all its existing sexual abuse investigation policies and procedures to ensure consistency with 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-531. Each district must also have a policy on bullying. 105 ILCS 5/27-23.7, amended by P.A. 100-137; see [sample policy 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment](#).

This policy's list of protected classifications is identical to the list in 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. The protected classifications are found in 105 ILCS 5/27-23.7(a); 775 ILCS 5/1-103, amended by P.A. 101-221, ~~eff. 1-1-20~~; and 23 Ill.Admin.Code §1.240.

The list of protected classifications in sample policy 7:10, *Equal Educational Opportunities*, is different – it does not contain the classifications that are exclusively identified in the bullying statute. 105 ILCS 5/27-23.7.

The Ill. Human Rights Act (IHRA) and an ISBE rule prohibit schools from discriminating against students on the basis of *sexual orientation and gender identity*. 775 ILCS 5/5-101(11); 23 Ill.Admin.Code §1.240. *Sexual orientation* is defined as the "actual or perceived heterosexuality, homosexuality, bisexuality, or gender related identity, whether or not traditionally associated with the person's designated sex at birth." 775 ILCS 5/1-103(O-1). *Gender identity* is included in the definition of sexual orientation in the Act. The Act permits schools to maintain single-sex facilities that are distinctly private in nature, e.g., restrooms and locker rooms. 775 ILCS 5/5-103. 775 ILCS 5/1-102(A), added *order of protection status* to its list of protected categories. The IHRA's jurisdiction is specifically limited to: (1) failing to enroll an individual, (2) denying access to facilities, goods, or services, or (3) failing to take corrective action to stop severe or pervasive harassment of an individual. 775 ILCS 5/5-102.2.

² See [fn 2 in sample policy 7:10, Equal Educational Opportunities](#), for a discussion about Executive Order (EO) 2019-11 establishing the Affirming and Inclusive Schools Task Force (Task Force) that made policy and administrative procedure recommendations to the Ill. State Board of Education (ISBE) that are discussed in a its publication [Sample District Policy and Administrative Procedures](#) at www.isbe.net/supportallstudents.

For boards that want to incorporate ISBE's sample policy recommendation, insert the following in place of "gender identity"; gender: gender identity (whether or not traditionally associated with the student's sex assigned at birth).

If the board inserts this option, it must also insert the options in f/n 2 and 7 of policy 7:10, *Equal Educational Opportunities*. BUT NOTE THE PROTECTED STATUSES LIST IN THIS POLICY IS DIFFERENT AND SHOULD NOT BE COPIED FROM HERE INTO 7:10, *EQUAL EDUCATIONAL OPPORTUNITIES*.

property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.³

Commented [MB1]: Formerly footnote 2.

Sexual Harassment Prohibited

The District shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. ~~Sexual harassment of students is prohibited.~~⁴ See policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Commented [MB2]: Formerly footnote 3.

~~Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:~~

- ~~1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or~~

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

³ This list of examples of prohibited conduct is optional. While hate speech is not specifically mentioned in this paragraph, any hate speech used to harass or intimidate is banned. Hate speech without accompanying misconduct may be prohibited in response to actual incidences when hate speech interfered with the educational environment. *West v. Derby Unified Sch. Dist.*, 206 F.3d 1358 (10th Cir. 2000).

⁴ ~~Two laws apply to sexual harassment of students in Illinois.~~ Title IX of the Education Amendments of 1972 (Title IX) ~~and the IHRA~~ prohibits discrimination on the basis of sex ~~and sexual harassment~~ in any educational program or activity receiving federal financial assistance. 20 U.S.C. §1681. Title IX defines sexual harassment as conduct on the basis of sex that meets one or more of the following: (1) a district employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it denies a person equal access to the District's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined in federal law. 34 C.F.R. §106.30. ~~For purposes of Title IX, sexual harassment of students includes acts of sexual violence. See sample policy 2:265, Title IX Sexual Harassment Grievance Procedure, and sample exhibit 2:265-E, Title IX Sexual Harassment Glossary of Terms. Consult the board attorney to ensure the non-discrimination coordinator and complaint managers are trained to appropriately respond to allegations of discrimination based upon sexual violence under Title IX's sexual harassment umbrella. Guidance See sample procedures 2:265-AP1, Title IX Sexual Harassment Response, and 2:265-AP2, Formal Title IX Sexual Harassment Complaint Grievance Process. documents highlight appropriate responses to sexual violence under Title IX. See fn 7 in policy 2:260, Uniform Grievance Procedure for a listing and links to these documents.~~

~~The sample policy's definition of sexual harassment does not distinguish between welcome and unwelcome behaviors—each is prohibited if it has a result described in sub-paragraph 1 or 2. See *Mary M. v. North Lawrence Community Sch. Corp.*, 131 F.3d 1220 (7th Cir. 1997) (An eighth grade student did not need to show that a school employee's sexual advances were unwelcome in order to prove sexual harassment.)~~

~~The IHRA prohibits any district employee or agent from sexually harassing a student, and defines sexual harassment as any unwelcome sexual advances or requests for sexual favors made to a student, or any conduct of a sexual nature toward a student, when: (1) such conduct has the purpose of substantially interfering with the student's educational performance or creating an intimidating, hostile or offensive educational environment; or (2) the district employee or agent either explicitly or implicitly makes the student's submission to or rejection of such conduct as a basis for making various enumerated education-related determinations. 775 ILCS 5/5A-201(E).~~

~~School districts are liable for damage awards for an employee's sexual harassment of a student in limited situations. Liability occurs only when a district official who, at a minimum, has authority to institute corrective action, has actual notice of and is deliberately indifferent to the employee's misconduct. *Gebser v. Lago Vista Independent Sch. Dist.*, 524 U.S. 274 (1998). Schools are liable in student-to-student sexual harassment cases when school agents are deliberately indifferent to sexual harassment, of which they have actual knowledge that is so severe, pervasive, and objectively offensive that it can be said to deprive the victims of access to the educational opportunities or benefits provided by the school. *Davis v. Monroe County Bd. of Educ.*, 526 U.S. 629 (1999). The Ill. Dept. of Human Rights ~~investigates charges of sexual harassment in violation of the IHRA, and it is a civil rights violation when now has jurisdiction over allegations that a school district failed to take corrective remedial or disciplinary action against an employee the district knows engaged in to stop severe or pervasive sexual harassment of an individual based upon a protected category.~~ 775 ILCS 5/5A-102.2.~~

~~2. Has the purpose or effect of:~~

- ~~a. Substantially interfering with a student's educational environment;~~
- ~~b. Creating an intimidating, hostile, or offensive educational environment;~~
- ~~c. Depriving a student of educational aid, benefits, services, or treatment; or~~
- ~~d. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.~~

~~The terms *intimidating*, *hostile*, and *offensive* include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities. The term *sexual violence* includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.~~

Making a Report or Complaint

Students are encouraged to promptly report claims or incidences of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any ~~staff member~~employee with whom the student is comfortable speaking.⁵ A student may choose to report to an employee~~person~~ of the student's same sex~~gender~~.

Commented [MB3]: Formerly footnote 4.

~~An allegation that a student was a victim of any prohibited conduct perpetrated by school personnel, including a school vendor or volunteer, shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*, in addition to any response required by this policy. Reports under this policy will be considered a report under Board policy 2:260, *Uniform Grievance Procedure*, and/or Board policy 2:265, *Title IX Sexual Harassment Grievance Procedure*. The Nondiscrimination Coordinator and/or Complaint Manager shall process and review the report according to the appropriate grievance procedure.⁶~~

The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

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

⁵ Using "or any ~~staff member~~employee with whom the student is comfortable speaking" is consistent with 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, ensures compliance with Title IX regulations providing that "any employee" of an elementary or secondary school who has notice of sexual harassment or allegations of sexual harassment is deemed to have *actual knowledge* which triggers a district's duty to respond. 34 C.F.R. §106.30. By including "any ~~staff member~~employee" in this list, 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.

⁶ If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state "The Nondiscrimination Coordinator, Title IX Coordinator, and/or Complaint Manager shall process and review the report according to the appropriate grievance procedure."

~~7~~ At least one of these individuals will be female, and at least one will be male. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. ~~8~~

Commented [MB4]: Formerly footnote 5.

Nondiscrimination Coordinator:

Name

Address

Email

Telephone

Complaint Managers:

_____ Name	_____ Name
_____ Address	_____ Address
_____ Email	_____ Email
_____ Telephone	_____ Telephone

The Superintendent shall use reasonable measures to inform staff members and students of this policy by including:

1. For students, age-appropriate information about the contents of this policy in the District's student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school. ~~9~~

Commented [MB5]: Formerly footnote 7.

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

~~7~~ Title IX regulations require districts to identify the person, address, and telephone number of the individual responsible for coordinating the district's compliance efforts. The U.S. Dept. of Education's Office for Civil Rights prefers that school districts make Title IX information and coordinators visible to the community, and it has provided materials designed to remind schools of their obligation to designate a Title IX coordinator. These materials include: (a) a *Dear Colleague Letter on Title IX Coordinators*; (b) a *Letter to Title IX Coordinators* that provides them with more information about their role; and (c) a *Title IX Resource Guide* that includes an overview of Title IX's requirements with respect to several key issues. See www2.ed.gov/policy/rights/guid/ocr/title-ix-coordinators.html.

While the names and contact information are required by law to be listed, they are not part of the adopted policy and do not require board action. This allows for additions and amendments to the names and contact information when necessary. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

Each district must communicate its bullying policy to students and their parents/guardians. 105 ILCS 5/27-23.7, amended by P.A. 100-137; see [sample policy 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment](#).

~~8~~ Title IX regulations require districts to identify the name, office address, email address, and telephone number of the person who is responsible for coordinating the district's compliance efforts. The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, delete "The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator." supplement the previous sentence to state "The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers." Then, list the Title IX and Nondiscrimination Coordinators' names and contact information separately in this policy.

2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

~~Supervisors, Building Principals, or administrators~~ Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager.¹⁰ ~~Any employee-supervisor or administrator~~ who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

~~The District shall investigate alleged harassment of students when the Nondiscrimination Coordinator or a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.~~

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee¹¹ shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged student harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

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

⁹ In addition to notifying students of ~~the policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Sexual Harassment Grievance Procedure*~~, a district must notify them of the name, office address, email address, and telephone number of district's Title IX Coordinator ~~person(s) designated to coordinate the district's compliance with Title IX.~~ 34 C.F.R. ~~Part~~ §106.8(a). 105 ILCS 5/10-20.69 (final citation pending), added by P.A. 101-418, ~~eff. 1-1-20~~, requires districts to maintain and implement an *age-appropriate* policy on sexual harassment that is included in the school district's student handbook, as well as on a district's website and, if applicable, other areas where such information is posted in each school. The law does not expressly state that the age-appropriate policy is for students; however, that is the most logical interpretation. In practice, most districts maintain a student handbook for each building. Because the law only requires one policy, this policy manages the age-appropriate requirement by directing age-appropriate explanations of the policy be included in the building-level student handbook(s). Student handbooks can be developed by the building principals, but should be reviewed and approved by the superintendent and school board.

The Illinois Principals Association maintains a handbook service that coordinates with **PRESS** material, *Online Model Student Handbook (MSH)*, at: www.ilprincipals.org/resources/model-student-handbook.

¹⁰ If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, supplement this sentence to state "Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator, Title IX Coordinator, or a Complaint Manager."

¹¹ "Nondiscrimination Coordinator or designee" is used where Title IX is potentially implicated. In contrast, if Title IX is likely not implicated then "Nondiscrimination Coordinator or a Complaint Manager or designee" is used (see next paragraph in policy text). If the district's Nondiscrimination Coordinator does not also serve as the Title IX Coordinator, delete "Nondiscrimination" and insert "Title IX" in its place.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel ¹²

Commented [MB6]: Formerly footnote 8.

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity. ¹³

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*; ~~in addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, Title IX Sexual Harassment Grievance Procedure, or policy 2:260, Uniform Grievance Procedure~~ ~~any response required by this policy.~~

Enforcement

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. ~~Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc.~~ Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action ~~up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.~~

Retaliation Prohibited

~~Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see policies 2:260, Uniform Grievance Procedure, and 2:265, Title IX Sexual Harassment Grievance Procedure).~~

~~Students should report allegations of retaliation to the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.~~

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

¹² ~~Required for districts located within a county served by an accredited Children's Advocacy Center (CAC). Delete this subhead if your school district is within a county not served by an accredited Children's Advocacy Center (CAC). 105 ILCS 5/22-85 (final citation pending), added by P.A. 101-531; (governings the investigation of an *alleged incident of sexual abuse* of any child within any Illinois counties served by a CAC). For a map of accredited CACs, and to identify a CAC that may serve your district, see www.childrensadvocacycentersofillinois.org/about/map. For further discussion see f/n 14 in policy 5:90, *Abused and Neglected Child Reporting*.~~

¹³ ~~105 ILCS 5/22-85(b) (final citation pending), added by P.A. 101-531. For further discussion see f/n 14 in policy 5:90, *Abused and Neglected Child Reporting*.~~

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.
105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.
23 Ill.Admin.Code §1.240 and Part 200.
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Franklin v. Gwinnett Co. Public Schs., 503 U.S. 60 (1992).
Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).
West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), [2:265 \(Title IX Sexual Harassment Grievance Procedure\)](#), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

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Approval of Minutes

ACTION ITEM 20-11-6

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 October 8, 2020; and the Regular Meeting on October 8, 2020.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:

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**BOARD OF EDUCATION
COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64
Minutes of the Regular Board of Education Meeting held at 7:00 p.m.
October 8, 2020
VIRTUAL MEETING DUE TO COVID-19
Alternate Remote Attendance at Franklin School (Gym)**

Board President Rick Biagi called the meeting to order at 7:00 p.m. All participants attended via remote participation unless otherwise noted. Board members in attendance via remote participation were Tom Sotos, Dr. Denise Pearl, Fred Sanchez, Rebecca Little, and Larry Ryles. Superintendent Eric Olson attended in person at Franklin School, along with Board member Carol Sales, Assistant Superintendent for Human Resources Dr. Joel T. Martin, Chief School Business Official Luann Kolstad, and Director of Student Services Dr. Lea Anne Frost. Also attending remotely were: Assistant Superintendent for Student Learning Lori Lopez; 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 Board Legal Counsel Tony Loizzi. Approximately 40 members of the public were physically present at the alternate remote location, and 300 attended virtually.

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.

PLEDGE OF ALLEGIANCE

Board member Larry Ryles led the pledge

OPENING REMARKS FROM PRESIDENT OF THE BOARD

President Biagi emphasized that we are a community, neighbors, and he expected the meeting to be civil despite strong feelings on both sides of the issue of bringing students back to school in-person. He stated that there seemed to be a feeling in parts of the community that the Board had been derelict in its duties and was not holding Dr. Olson accountable. When the pandemic started, Mr. Biagi noted that there wasn't a single meeting that the Board didn't discuss at length the issues with Dr. Olson. On a weekly, if not more frequent basis, the Board was kept in the loop on the progress and discussion. Mr. Biagi stated that the Board decided not to formally vote or ratify the plans as the Board is not to be an extension of the administration, but to oversee it. He then yielded his time to Dr. Olson, who introduced the president of the Park Ridge Education Association (PREA), Mrs. Erin Breen. She stated that the teachers care about the students and are committed regardless of the learning plan. She noted that 87% of the union members thought that the hybrid plan was not what is best and that they disagree with it. She stated that any hybrid plan should include input from the teachers. She stressed that providing education for three different groups will be very difficult. (remote, three-day-week remote, and in-person students), with a big concern on how

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to teach remote and in-person students simultaneously. The teachers are concerned about the well-being of the students as well as themselves, and are asking to be heard. Mrs. Breen ended by saying that the PREA looked forward to continuing conversations with the District to get the best possible plan.

Dr. Olson then shared a presentation and said that the District was continually working toward bringing back students full-time, keeping in mind that the schools were not built for a pandemic. He noted that staffing was a major challenge, from bus drivers and lunch supervisors to teachers. Material needs were also difficult to meet at times. Dr. Olson stated that it had not been possible to bring staff back safely at the beginning of the school year when the District decided to start remotely. The plan released in July was on hold in September. The District felt that staggered starts, gradually adding more programs, was a safer way to start back in-person. He said there was quite a large cost to do an AM/PM hybrid model that would involve extra buses, an entire force of custodians to clean rooms for the afternoon group. The current hybrid setup allows us to help special needs students, and allows for kids to be in school all day long. The District is also looking to bring 7th and 8th grades back as soon as possible. The current plan runs through November 20, the end of the first trimester. Dr. Olson emphasized that the District wants to start school and stay in school; therefore, the focus needs to be to open our schools successfully next week. He didn't feel now was the right time to launch into a new plan, such as a full 5-day return to school in-person. He noted it would be important to study the next couple of weeks and imbed those results in the plan moving forward.

PUBLIC COMMENTS

Public comments were invited through a posted email address on the District website and in the Board report. Public comments were also received at the alternate remote location.

Public comments were received as follows from the public present at the physical location:

- The following parents and one student addressed the Board and administration on their desire to see a different plan, a 5-day return to school in person, the negative impact of virtual learning and lack of social interaction, the desire to see a comprehensive plan or a better plan, the students' struggle with online learning, desire to open the schools for a full return for those who want it, how other districts are coping and their plans, and the Board's lack of involvement:
Harmony Harrington, Doreen Currey, Diane Hamel, Katie Cassidy, Chandra Kearney, Ashley Kilburg, Krista Ward, Daniela Fuksa, Vicky Mutchler, Erin Stojakovic, Remy Patterson, Alexis Conway.

Board member Sotos stepped to the podium to address the Board and the public and stressed that the superintendent had worked very hard to create the plan. Mr. Sotos also stated that he was willing to spend as many hours as needed to work on a better plan, and the rest of the Board could do the same.

Public comments were also received via email and read aloud as follows:

- Beata DeFranco: would like a survey of parents for 5-day/week attendance
- Sarah Handley: would like to see a full return to school and gave an example of a school in Lake Geneva.

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- Leon Kraut: would like to see a safe return to school, 5 days a week.
- Matt Drugan: stressed the struggle to learn remotely, while parents are working, and would like a return to school as soon as possible.
- Susan Farquhar: would like to know the numbers of remote learners across the district, broken down by school
- Laura Bilben: would like to see a full return to school, emphasized the negative effects of too much screen time.
- Kelly Lawrence: would like to see the current hybrid plan amended, would also like to see an AM/PM model that seems successful elsewhere.
- Nicole Ancona: would like to see an option for 5 days half days in person after this trimester.
- Amy Tecu: expressed her concerns with the current hybrid plan and grouping students by math levels, and lack of motivation that would result for some students when grouped with peers that do not challenge them.
- Stacie Janak: shared her son’s drawing and the desire to see a better plan going forward.
- Dawn Parikh: expressed support for the slow approach to getting kids back to school safely, would like to see the results of the plan after a few weeks of implementation.
- Kristen Olson: would like to see a plan that explores alternative schedules in the early AM, weekends, evenings, etc; the use of other facilities and rentals; improved use of buildings and planning for future spaces.
- Matt Laske: asked for some clarifications on the current plan: teachers’ input, synchronous and asynchronous teaching, etc. Would like a 5 days a week option.
- Elizabeth Juiris: would like to see more in-person attendance, exploration of the AM/PM model.
- Katie Prezas: emphasized the seriousness of the pandemic and the remote learning choice for her family. Expressed her concern with the potential and numerous risks of spreading the virus at school. Would like a better remote learning plan, but deemed a return to school not safe at this time.

APPROVAL OF MEETING AGENDA

No changes were made to the meeting agenda.

STUDENT/STAFF RECOGNITION

Dr. Olson noted that October marked Principals’ Appreciation Month, with October 23 being Principals’ Day. He recognized the principals for their good work, professionalism, focus on students, the care they have for their staff, and their dedication to continually improve schools for the benefit of all. He stated that they had gone above and beyond during this COVID-19 pandemic and the new challenges it brought. Board president Biagi stated the Board was proud of the team Dr. Olson had assembled and thanked him for recognizing them.

REVIEW OF 2020 PROPOSED TAX LEVY & RESOLUTION #1253 TO APPROVE THE 2020 PROPOSED TAX LEVY & ESTABLISHMENT OF PUBLIC HEARING

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Chief School Business Official (CSBO) Luann Kolstad stated that the tentative levy totals for 2020 saw a 3.93% increase over 2019, and would total \$73.8M. She said the District would receive a 2.30% increase and the taxes associated with new construction. The percentage increase was set high enough to capture the full tax benefit of new construction in the District. The District will hold a truth-in-taxation hearing at the November 12 Board meeting, with the final tax levy to be adopted at the December 10 regular meeting. She was proud to see the District live within its means, and added that the 2014 Bonds issued for construction work at Field School would be paid off next year. She said the Board will discuss the Abatement of the Debt Service Levy at the November 12 meeting.

ACTION ITEM 20-10-1

It was moved by Board member Sanchez and seconded by Board member that the Board of Education of Community Consolidated School District No. 64 approve the 2020 Tax Levy Estimate, establishment of the Date and Time of the Truth-in-Taxation hearing for November 12, 2020 at 6:45 p.m., and Publication of Notice of Truth-in-Taxation hearing.

The votes were cast as follows:

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

NAYES: None

PRESENT: None

ABSENT: None

The motion carried.

DISCUSSION OF SUMMER 2020 CONSTRUCTION PROJECTS

CSBO Kolstad was joined by Director of Facility Management Ronald DeGeorge and lead architect from Studio GC, Mr. Rick Petricek. They presented a summary of all construction projects over the last 5 years and their costs to the District, noting that the Board had adhered to its commitment not to issue bonds but use Working Cash funds. The presentation concluded with the current Washington project, which is in its final stages. Mr. Petricek stated that the various contractors were completing punch list items this coming Friday and Monday. He noted that while a few unexpected items had arised, such as sewer and drainage issues, the project was on track and the students not being in the building during the pandemic had helped construction move along. Mrs. Kolstad and Mr. DeGeorge responded to questions from the Board to clarify that they were only a handful of touchless sinks across the District buildings, with newly installed ones at Washington School during the construction of the addition. Mrs. Kolstad also explained that the District was keeping track of COVID-19-related expenses by assigning them a specific accounting code. Mr. DeGeorge said that the District was using SchoolDude, an automated work order system, to keep track of tasks that need to be completed during the school year, such as gutter cleaning, roof inspections, and other tasks. The system allows for timely reminders to keep maintenance of facilities up to date.

FIRST READING OF POLICIES FROM PRESS 105

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Dr. Olson and Board member Sales noted that the Board Policy Committee had met on September 15, 2020 to review these policies and were recommending their adoption. No changes were proposed to the policies as presented, with the exception of policy 5:330 *Sick Days, Vacation, Holidays & Leaves*. The District will retain its customized policy that is aligned with the collective bargaining agreement in effect.

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.

Assistant Superintendent for Human Resources Dr. Joel T. Martin informed the Board that the District will need to hire additional staff to cope with the pandemic situation. Mainly, the District is looking to hire 8-10 additional custodians and 1-2 floaters, to deal with additional cleaning. 7 health assistants need to be hired to support the nurses at the buildings. In addition, 12-13 teacher assistants and long-term substitutes are needed to deal with the certified medical absences and other leaves or absences. Mr. Martin explained that these hirings are strictly connected to the pandemic situation. The District wanted to apprise the Board of its intentions and would hire these individuals prior to the next Board meeting, with their permission; the Board would then approve the hirings on the personnel report on November 12. This process is similar to the summer hiring. CSBO Kolstad explained that these hirings were not part of the original planned budget, but that money was available to cover the needs. These hirings would be coded under the COVID-19-related expense previously mentioned. Dr. Martin also encouraged parents and anyone from the community to visit the District’s website and look for job postings, as the District is looking for help with lunch supervisions and other positions.

- Rebecca Bergeron - Resign as Teaching Assistant at Roosevelt School effective October 14, 2020
- Angela Krischon - Resign as 1st Grade Teacher at Field School effective October 9, 2020
- Lauren Masciopinto - Resign as Teaching Assistant at Roosevelt School effective August 24, 2020

ACTION ITEM 20-10-2

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 October 8, 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: Sales, Little, Pearl, Biagi, Ryles, Sotos, Sanchez

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

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CONSENT AGENDA

Policy 4:180 was removed from the consent agenda prior to the vote.

- Bills, Payroll and Benefits

Bills

<u>Fund</u>	<u>Fund Total</u>
10 - Education Fund	\$ 1,250,241.38
20 - Operations and Maintenance Fund	\$ 324,471.49
30 - Debt Services	\$ 14,933.34
40 - Transportation Fund	\$ 2,025.40
50 - Retirement (IMRF/SS/MEDICARE)	\$ -
60 - Capital Projects	\$ 35,461.06
61 - Capital Projects-2017 Debt Certificates	\$ -
80 - Tort Immunity Fund	\$ -
90 - Fire Prevention and Safety Fund	\$ -
Total:	\$ 1,627,132.67

Payroll & Benefits

<u>Fund</u>	<u>Fund Total</u>
10 - Education Fund	\$10,586,264.67
20 - Operations and Maintenance Fund	\$ 1,531,058.74
30 - Debt Services Fund	\$ 40,651.44
40 - Transportation Fund	\$ 6,756.18
50 - IMRF/FICA Fund	\$ 177,032.89
51 - SS/Medicare	\$ 181,527.42
60 - Capital Projects Fund	\$ 3,170,269.85
61 - Cap Projects Fund - 2017 Debt Certs	\$ 0.00
80 - Tort Immunity Fund	\$ 500,361.50
Total:	\$16,193,922.69

The Accounts Payable detailed list can be viewed on the District 64 website's business services page at www.d64.org.

- Approval of Financial Update for the Period Ending August 31, 2020
- ~~Second Reading and Approval of Policy 4:180 (removed prior to vote)~~
- Approval of Reciprocal Reporting Intergovernmental Agreement between the Village of Niles and the Boards of Education of School Districts Nos. 63, 64, 67, and Cook County, Illinois
- Approval of Hold or Release of Closed Minutes
- Destruction of Audio Closed Recordings (none)

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ACTION ITEM 20-10-3

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 October 8, 2020, which includes: Bills, Payroll and Benefits; Approval of Financial Update for the Period Ending August 31, 2020; Approval of Reciprocal Reporting Intergovernmental Agreement between the Village of Niles and the Boards of Education of School Districts Nos. 63, 64, 67, and Cook County, Illinois; Approval of Hold or Release of Closed Minutes; and the Destruction of Audio Closed Recordings (none).

The votes were cast as follows:

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

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

DISCUSSION AND ADOPTION OF POLICY 4:180

The Board resumed discussion of policy 4:180 *Pandemic Preparedness; Management; and Recovery*. Board member Little stated that she found the language in the policy “squishy.” Board member Little explained that the sentence “The District will approve the plan” was not clear to her, especially when it came to the term “District.” She wanted clearance on who was considered “the District;” The majority of the Board thought it meant the superintendent. Little preferred that it meant the “Board.”

It was moved by Board member Pearl and seconded by Board president Biagi that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve policy 4:180 as presented.

The Board discussed Policy 4:180. Board member Sales explained that the policy committee began with the version contained in PRESS Issue 104, which stated that the Board shall adopt the plan. However, a majority of the Board did not agree with that. Board attorney Tony Loizzi provided options for the proposed policy. One such option contained the statutory language with the addition of a few words. Loizzi explained that he suggested the statutory language and that the issue was whether the Board would take a formal vote on the plan that involved remote hybrid learning: Does the Board want to take formal action on this plan, or is it delegating this authority to the superintendent? Both options are viable.

Board member Sales stated that when the Illinois statute states “the district shall adopt,” it still means that the Board has to do so. Sales said that the board could adopt the current version of the policy because it must follow Illinois law, but she disagreed with the interpretation that did not require Board action. She was in favor of the IASB’s clarification. Mr. Loizzi stated that the IASB clarification changed the statute. The legislature expressly stated “the board” when it wanted the board to take action. The statute also stated that the superintendent could amend the plan at any time, which flies in the face of when we usually need board approval.

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Sales stated that another issue with the statute was the existence of two different verbs: “adopt” and “approve.” The party taking action to adopt would be the district, and the one taking action to approve would be the superintendent. The statute contemplates two different actions and also contemplates the superintendent’s ability to make changes to the plan. The board would have to vote in certain instances previously given in examples by Mr. Loizzi, such as moving from purely remote to hybrid, or from hybrid to fully in person, such that a board meeting would not be required for every change. She agreed that the statute was poorly written, but it does not place all of the authority and burden on the superintendent.

Board member Sotos stated that regardless of the argument of the statutory language, the Board has additional information. A large percent of people are unhappy with the proposed plan. Almost all of them want Board members to be actively involved. Sotos has been on the board for a long time. This was a large movement of people who expressed their dissatisfaction. The Board should assist with a plan that the residents would be happy with.

Dr. Olson said that because 70% of the parents chose in-person, and that would be thousands of parents, we have heard from a small minority--not the majority. Sotos said the majority spoke when they said they wanted to go to in-person learning. A lot of people sent emails about the issue. The board has made changes based on much less community input. 50 people speaking at a board meeting is a large email. In addition, the board received many emails.

Biagi stated that there was an elephant in the room with the statutory language. Board members disagree with Mr. Loizzi’s interpretation. Under that language, the board could go either way. Loizzi said that could happen anyway. The issue being discussed is whether the district is reconsidering the hybrid plan that was presented. Whether the policy is presented pursuant to the IASB or the statute as drafted, that shouldn’t get in the way of the open dialogue.

Little stated that the board had been talking about the “squishy” language before people spoke tonight. Biagi asked Little what her proposal would be to clarify the policy. Little stated that the policy should state that the Board must adopt the plan proposed by the superintendent. It was discussed in a policy meeting, but that wasn’t what the majority wanted, so it wasn’t drafted that way.

Biagi stated that the board could reject the language and add language requiring the Board to adopt the plan. The motion on the table was the language as proposed. Loizzi stated that everyone should be able to understand what the language means. Public comment was received as follows:

- Kelly Lawrence: asked for the clarification of the word “squishy.” Little stated that it meant “unclear.” What does “the district” mean? It was not clear who was supposed to act.

Board member Pearl asked Little if the policy should state “the board” or “the superintendent.” Little stated that the administration should come up with the plan, but the board votes. Pearl’s reservation: with COVID, things are changing quickly. She doesn’t want the board to impede that or make it go slower. Little stated that if the district is moving back to remote because of a public health issue, the state could shut down in-person learning.

Biagi stated that we could vote on the language as drafted or choose not to vote on that language and vote on something else. Biagi called the question. Dr. Pearl asked board member Sanchez his opinion. Sanchez was fine with mirroring the statutory language. The board has the power to overrule the superintendent

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anyway or change course; the policy doesn't bind us. Sotos stated that the board agreed to go by the statutory language. Nobody identified that this many people would be upset. He thinks we should draft a motion that specifically states the board's involvement going forward. Sotos wants to see a full blown plan about what happens now; what happens if we revert to in-home learning because of a spread; and not something that is on the fly. Biagi stated that Sotos was out of order and could not create a motion.

Biagi asked for a roll call vote.

The votes were cast as follows:

AYES: Pearl, Biagi, Sanchez, Ryles

NAYS: Sotos, Sales, Little

PRESENT: None

ABSENT: None

The motion carried.

Biagi stated that Policy 4:180 was adopted with the statutory language. The board has latitude to go in either direction, as it sees fit. The board can't formally vote on Sotos's suggestion because it wasn't on the agenda. The only way the board could entertain that idea would be to have a discussion under new business; the board was prohibited by law from voting on it.

APPROVAL OF MINUTES

No further changes were made to the minutes as presented in the report.

ACTION ITEM 20-10-4

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 Closed Meeting on September 10, 2020; and the Regular Meeting on September 10, 2020.

The votes were cast as follows:

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

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

OTHER DISCUSSION AND ITEMS OF INFORMATION

Dr. Olson noted that the draft agenda for the November 12 regular meeting was included in tonight's report. He also said that he continued to meet regularly with the PTO/A presidents and found their feedback valuable.

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Board member Sales noted that the Board Policy Committee had also discussed policy 4:60 *Purchases and Contracts* during their last meeting on September 15 and found that further information and discussion was needed before bringing any recommendations to the Board. She requested input from the board members.

NEW BUSINESS

Biagi stated that he was at a loss for words. He was watching his phone light up; commentary on a Facebook page about elected officials was appalling. How people handled themselves tonight was appalling. He's embarrassed for his city; embarrassed for Dr. Olson; embarrassed for one of our board members, who did something "uncool" at the meeting.

Board member Sales asked about whether communications during a board meeting are public records (whether internal or with the public) were public records. Loizzi stated that the *Champaign v. Madigan* case involved messages between board members. Sales wasn't sure what messages Biagi was receiving. Biagi clarified that he wasn't receiving messages. He was seeing comments about the board members. Sales was wondering what was a public record that needed to be preserved.

Board member Sotos stated he didn't appreciate that Biagi said he was embarrassed for our community. Sotos needed to clarify a statement made by Mr. Biagi in his opening monologue. Sotos went to the podium because he couldn't appear via Zoom. He was also a parent in the community. Sotos felt he was extremely fair to Dr. Olson and administration. His request to be more involved didn't mean he had no confidence in the administration. The board should consider having an agreement to be more actively involved in a long-term plan. Parents don't want to have to wait a week or two weeks to find out what the next step is. We understand that it will be fluid and that there will be minor changes. The information should be given to the public. We need an outline, with an explanation of pulling back from in-person learning. Everyone in the district is frustrated because they don't know.

Sales stated that she agrees with more board involvement and explained that the IASB's proposed pandemic policy would have addressed those issues. If the superintendent knew that he needed the board to adopt the plan, then all of the steps that Sotos mentioned would have been necessary. If there was a chance that the board would reject adoption of the plan, the superintendent would be risking that the board would not adopt it if four board members were not on board.

Biagi wanted Dr. Olson to address the assumption that there was no plan. Dr. Olson stated that the board only has as much of a chance to see the plan and talk things through as it does. He understands that and works for the board and serves it in any way he's directed. Board involvement is difficult because it adds another layer. He has a lot of groups that have to be involved. The board would be another group that's weighing in on the plan. It changes a lot of the context when the board has to vote. The board might have suggestions, but he would have to go back to five groups. He doesn't blame the board for wanting to be more involved. He will be available to the board to go into the level of detail of the plan. It will add layers of challenge to what the administration is trying to accomplish. If the board feels they are necessary layers,

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he would support that. He also wants the board to know that he received three times the number of emails from parents thanking him for the hybrid plan, thanks for sticking to the plan, and that they're looking forward to in-person learning. There are a lot of points of view out there; he doesn't want us to get too focused on only one of those.

Sales responded to Biagi and said nobody's alleging that there is no plan. The board has received three versions of the plan. The one presented to the public was different. Biagi stated that the board and superintendent know why the plan wasn't implemented. Biagi stated that Sotos listed a lot of things he wanted Olson to go back to, thereby alleging there was no plan. Sotos asked for a comprehensive plan about what it will look like going forward and going backwards. As a board member he has not seen anything of that. Dr. Olson stated that everything about going backwards is already in the plan. The administration has been working nonstop to prepare for this plan to start. He's had to unpack many layers and design systems. We're on the eve of trying to launch it, and now we're deterring from it. We're trying to get school started, and then we can start talking about the next phase of the plan.

Sotos's concern is that as a board member he has no idea what the plan is beyond what was presented to regular residents. As a board member, he wants to be involved or at least know what that plan is moving forward so he can state his opinion. Board members found out about the current plan not much sooner than everyone else. How can we do our jobs as board members when we haven't been given the power or respect to offer our opinion, because we don't know it. At the last board meeting, when we gave the authority to the administration to move forward, he specifically asked for information to become more involved. Unless another board member has information or he missed it somehow, Sotos wants to know.

Dr. Olson said he's had long, drawn out conversations with board members. Dr. Olson wants to be able to give Sotos the information. Sotos suggested presenting it to the board. Having individual conversations circumvents the board process. It doesn't work the way the board is intended to work. When Olson has a plan, it should be presented. Sotos doesn't know why the board is left out of the process.

Biagi said there's a reason we're not having the conversations publicly: We're in the midst of a collective bargaining agreement. Mr. Loizzi said we can discuss the issues in closed session. Biagi was speaking about why Dr. Olson has to do it the way he does. Dr. Olson can't just lay out a plan. Mr. Loizzi said not everything needs to be agreed upon, but it has to be discussed.

Biagi stated that Sotos's request for a plan is not publicly feasible. If Sotos had called Dr. Olson and asked any of the questions, he would have had the answers. It's not Biagi's problem. He doesn't want it to be discussed publicly. Sotos explained that Mr. Loizzi said we don't need approval for every decision. For Dr. Olson to present a plan does not violate anything. Dr. Olson can propose the plan and then talk to anyone he wants. There's no violation by proposing a plan. Sotos should not have to call the superintendent to ask him what the plan is. The plan should be sent to board members. He has no problem asking Dr. Olson, but under the current process, Dr. Olson doesn't have to do anything with Sotos's opinion. If we discuss it at a

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meeting, it's done transparently and out in the open, and we're doing it the way we should be doing it. If there are unions that want to object to the plan, then let them do it.

Biagi asked where the board should go from here. He asked Mr. Loizzi how other districts are handling collective bargaining issues related to the plan. Loizzi stated that he would be more comfortable having the discussion in closed session instead of in an open session. He asked the board for a motion to move to closed session. Sotos said he's available now. MJ stated that she could set up a meeting and would send the board a Zoom link to join.

Pearl asked if everyone wants to go into closed session. Biagi asked if there are administrators who would be able to leave. Biagi asked for a consensus about a closed session. Sales said yes. Pearl said no. Sanchez said he would, but that he questions the wisdom at this late hour. Little agreed with Sanchez. Biagi was not in a good emotional place. Ryles was not in favor of going into closed session: Two meetings ago the board had a lengthy discussion about what Dr. Olson was going to do. The board has provided input. Ryles understands where Dr. Olson is going and understands about collective bargaining. Biagi stated that a couple of board members wanted the board to get involved. He stated that another option was an emergency meeting next week when the board was fresher. Sales was fine with either. Sotos said it wasn't a long conversation, so doing it tonight would be the best idea. The board would go into closed session and discuss it. Biagi stated three no, two maybe, and two yes. Loizzi stated that there was a limited scope of the discussions: just the labor issues.

A public comment was received as follows during the conversation:

- Karen Hein: wanted to know why Mr. Sotos was not visible on camera. She only heard a voice. Sotos said the camera wasn't working on his phone.

BOARD ADJOURNS FROM THE REGULAR MEETING AND CONVENES TO A CLOSED MEETING

At 11:05 p.m. it was moved by Board member Biagi and seconded by Board member Sotos to adjourn to closed session to discuss collective negotiating matters between the public body and its employees or their representatives [5 ILCS 120/2(c)(2)].

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

AYES: Little, Biagi, Sotos, Sales

NAYS: Pearl, Sanchez, Ryles

PRESENT: None

ABSENT: None

The motion carried.

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

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At 12:03 a.m. the Board returned from their closed meeting.

ADJOURNMENT

At 12:04 a.m. it was moved by Board member Sanchez and seconded by Board member Little to adjourn.

The votes were cast as follows:

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

NAYS: None

PRESENT: None

ABSENT: None

The motion carried.

Signed Date: November 12, 2020.

President

Secretary

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2020 IASB Resolutions Committee Report & Assembly

This year, the Board of Education will send Board Secretary Carol Sales as its delegate to the 2020 IASB Assembly which takes place virtually on November 14, 2020. Representatives for each district will vote on this year’s proposed resolutions at the assembly. In anticipation of this assembly and vote, the Board will discuss the resolutions tonight and come to an agreement on how Carol should vote at the assembly on behalf of the Board. The resolutions are listed below and a more detailed explanation of each can be found in the Resolutions Committee Report attached:

NEW RESOLUTIONS

1. Loan Program
2. Gun Storage
3. School Report Card
4. Pre-K Teacher Licensure
5. Teacher Shortage
6. E-Learning on Election Day
7. Local Control Pandemic
8. Local Control Pandemic

REAFFIRMATION OF EXISTING POSITIONS

9. Position Statement 1.16 Charter Schools – Renewal of Charters
10. Position Statement 1.17 Charter Schools – At-Risk Students
11. Position Statement 2.27 State Authorized Charter School Funding

NEW BELIEF STATEMENTS

12. Equity

ACTION ITEM 20-11-7

I move that the Board of Education of Community Consolidated School District 64, Park Ridge – Niles, Illinois, approve the Board’s recommendations for the votes on the proposed resolutions at the 2020 IASB Assembly, as discussed at tonight’s meeting and agreed upon.

The votes were cast as follows:

Moved by _____ Seconded by _____

AYES:

NAYS:

PRESENT:

ABSENT:



2020 Resolutions Committee Report

For the 2020 Delegate Assembly meeting
on November 14, 2020

September 2020

For further information please contact Ben Schwarm at (217) 528-9688, ext. 1132

2921 Baker Drive
Springfield, IL 62703
(217) 528-9688 • Fax (217) 528-2831

One Imperial Place
1 East 22nd Street, Suite 20
Lombard, IL 60148-6120
(630) 629-3776 • Fax (630) 629-3940

TO: Board Members and Administrators

FROM: Simon Kampwerth Jr., Resolutions Committee Chair

DATE: September, 2020

SUBJECT: 2020 Resolutions Committee Report to the Membership

Thank you for your interest in the 2020 Resolutions Committee Report to the Membership. Proposals set forth in this report will be acted upon at the virtual Annual Meeting of the IASB Delegate Assembly, which convenes at 10 a.m. on Saturday, November 14, 2020.

The Resolutions Process is vital to the Association's mission, and the Delegate Assembly is one of the most important functions conducted by IASB. It gives member districts ownership in the Association and the opportunity to establish the direction of the Association and its major policies. Every member district has a delegate, a vote, and a voice.

Participation in the resolutions process is important. Submitting new resolutions, discussing the resolutions at your local board meeting, sharing your insight with other boards and sending a well-informed delegate to the assembly all are key actions for you to take.

This booklet is provided in the fall and is intended to allow your board time to discuss the resolutions. We hope that this will increase participation and enthusiasm from member districts.

With the cancellation of the 2020 Joint Annual Conference, and the Delegate Assembly being conducted virtually, there will be changes in our procedures. Your board will have to choose its delegate and register that delegate with IASB in advance. This will ensure that only voting delegates will have access to the link for the virtual assembly. More details on when and how to do this will be forthcoming.

On behalf of the Resolutions Committee, thank you for your interest in the Resolutions Process.

**Service of the following school board members on the 2020
Resolutions Committee is acknowledged with sincere appreciation.**

Chair	Simon Kampwerth Jr.	Peru ESD 124
Abe Lincoln.....	Amy Reynolds	Rochester CUSD 3A
Blackhawk	Julie Wagner.....	Mercer County SD 404
Central IL Valley	Daniel Walther.....	Peoria SD 150
Corn Belt	Nick Sartoris.....	Pontiac THSD 90
DuPage.....	James Blair	Salt Creek SD 48
Egyptian	Lisa Irvin	Opdyke-Belle Rive CCSD 5
Illini.....	Sandra Uhlott	Rantoul City SD 137
Kaskaskia.....	Kent Kistler	Brownstown CUSD 201
Kishwaukee	Stephen Nelson	Sycamore CUSD 427
Lake.....	Odie Pahl	Gurnee SD 56
North Cook.....	Anna Klimkowicz.....	Township HSD 211
Northwest.....	Steve Snider	Eastland CUSD 308
Shawnee	Vernon Stubblefield.....	Cairo CUSD 1
South Cook.....	Juanita Jordan	Prairie Hills ESD 144
Southwestern.....	Gabrielle Schwemmer.....	Smithton CCSD 130
Starved Rock.....	Carol Alcorn.....	LaSalle-Peru THSD 120
Three Rivers.....	Liz Campbell	Valley View CUSD 365U
Two Rivers.....	Rodney Reif	Carrollton CUSD 1
Wabash Valley	Casey Overbeck.....	Casey-Westfield CUSD 4C
West Cook.....	Dianne Williams.....	Maywood-Melrose Park-Broadview SD 89
Western.....	Scott Vogler	West Prairie SD 103

DELEGATE ASSEMBLY AGENDA

1. Call to Order
2. Report of the Credentials Committee
3. Approval of Delegate Assembly Business Rules
4. President's Report, Tom Neeley
5. Executive Director's Report, Thomas Bertrand, Ph.D.
6. Financial Report, Linda Eades
7. Election of Officers
 - A. Nominating Committee Report, Joanne Osmond, Nominating Committee Chair
8. Resolutions Committee Report, Simon Kampwerth Jr.
 - A. New Resolutions
 - B. Reaffirmation of Existing Positions
9. Belief Statements
10. Deletions and Amendments of Existing Positions
11. Adjournment

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My Board's Recommendation

Support *Oppose*

NEW RESOLUTIONS

- | | | |
|--------------------------|--------------------------|-------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Loan Program |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Gun Storage |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. School Report Card |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Pre-K Teacher Licensure |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Teacher Shortage |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. E-Learning on Election Day |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Local Control Pandemic |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Local Control Pandemic |

REAFFIRMATION OF EXISTING POSITIONS

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Position Statement 1.16 Charter Schools – Renewal of Charters |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Position Statement 1.17 Charter Schools – At-Risk Students |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Position Statement 2.27 State Authorized Charter School Funding |

NEW BELIEF STATEMENTS

- | | | |
|--------------------------|--------------------------|------------|
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Equity |
|--------------------------|--------------------------|------------|

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DELEGATE ASSEMBLY BUSINESS RULES

1. **Business Procedures** — Robert’s Rules of Order Newly Revised shall govern.
2. **Credentials** — Delegates shall be registered with the Credentials Committee.
3. **Delegate Seating** — Only those delegates seated in the reserved section will be permitted to participate in the business session.
4. **Recognition by Chair** — Delegates wishing to speak on a motion shall rise and be recognized by the Chair before speaking. They shall give their full name and the name of the board they represent.
5. **Debate on the Floor** — No delegate shall speak in debate more than twice on the same question and no longer than five minutes at one time. No delegate shall speak a second time on the same question until all persons have had an opportunity to speak at least once.
6. **Calls for the Question** — A delegate may “call for the question” to end debate on a motion. The delegate may not make such a motion if, immediately preceding the motion, he or she has engaged in discussion of the motion or otherwise participated in the debate. A motion, a second, and a 2/3 majority vote is required to end debate.
7. **Consent Agenda** — Use of a Consent Agenda to expedite the proceedings is authorized. Proposed resolutions which have been recommended “Do Adopt” by the Resolutions Committee may appear on a Consent Agenda.
8. **Appeals** — Those delegates wishing to appeal a “Do Not Adopt” recommendation of the Resolutions Committee, and have met the notice provisions required by Article IX, Section 5 of the IASB Constitution, shall have a period of time not to exceed five minutes in which to explain why the proposed action should be considered by the Delegate Assembly. Appeals shall only be accepted from

- the submitter of the proposed resolution that has received the negative recommendation of its proposal. Those proposed resolutions that have received a “Do Not Adopt” recommendation from the Resolutions Committee, and of which the committee has not received a timely written appeal of the negative recommendation from the submitting entity, will not be considered by the Delegate Assembly.
9. **Reaffirmation of Existing Position Statements** — The Delegate Assembly has the authority to reaffirm existing Position Statements. Proposals to reaffirm an existing position may be initiated by member school boards or the Resolutions Committee. All such proposals shall be submitted through the same procedure as all other resolutions and shall meet all criteria and constitutional timelines applicable to all resolutions.
 10. **Other Recognition** — Members of the Resolutions Committee and IASB staff shall be given the privilege of the floor at the discretion of the presiding officer.
 11. **Voting** — The indications to signify voting shall be specified by the presiding officer.
 12. **Nomination** — the consent of any nominee from the floor during the election of officers must be secured in writing prior to presentation to the Delegate Assembly, as required in Article IV, Section 1, of the IASB Constitution.
 13. **Remote Participation** — The 2020 Resolutions Committee and Delegate Assembly will allow for remote participation by delegates. This is not a precedent for future meetings of the Delegate Assembly, but will only be utilized during times of a statewide emergency as proclaimed by the Governor. In such cases, the Board of Directors may modify rules 4-7 as deemed necessary to accommodate remote participation technology and assembly decorum.

RESOLUTIONS PROCEDURES

1. Types of Resolutions — (Article IX, Section 1) Resolutions may be either in the form of a position statement or a belief statement. Position statements address issues affecting or concerning local boards of education; they direct the Association's advocacy efforts. Belief statements express significant values commonly held by local boards of education; they may or may not call for action to be taken by the Association.

2. Proposals — (Article IX, Section 2) Resolutions for proposed position statements or belief statements may be proposed by any Active Member, Association Division, the Association's Board of Directors, or the Resolutions Committee. Resolutions to be published and distributed to the Active Members must be submitted to the Resolutions Committee at least 150 days prior to the Annual Meeting of the Delegate Assembly.

3. Presentation of Resolutions — (Article IX, Section 3) The Resolutions Committee shall review all proposed resolutions, distribute a final draft of proposed resolutions to the membership not less than 45 days prior to the Annual Meeting of the Delegate Assembly, and may recommend the approval or disapproval of any resolution to the Delegate Assembly. The Resolutions Committee has the prerogative to determine which resolutions are to be presented to the Delegate Assembly; and whether they are presented as position statements or belief statements. However, all resolutions that are timely submitted to the Resolutions Committee according to Section 2 above, must be distributed to Active Members not less than 45 days prior to the Annual Meeting of the Delegate Assembly.

4. Annual Review — (Article IX, Section 4) The Resolutions Committee shall annually review currently in force position statements and belief statements to determine whether they are consistent with the current positions or beliefs of Association members. The Resolutions Committee shall recommend that the Delegate Assembly amend or rescind any position statement or belief statement that is not consistent with the current positions or beliefs of Association members. All position statements and belief statements currently in force will be published annually and distributed to Active Members prior to the Annual Meeting of the Delegate Assembly.

5. Appeals — (Article IX, Section 5) Any Active Member, Association Division, or Association Board of Directors, that has submitted a proposal that has received a negative recommendation from the Resolutions Committee, shall

have the right to appeal the decisions of the Resolutions Committee at the Annual Meeting of the Delegate Assembly. Notice of appeal must be submitted in writing to the Resolutions Committee. The committee must be in receipt of the written appeal no later than the close of business eight calendar days before the Annual Meeting of the Delegate Assembly. A majority of the delegates present and voting at the Annual Meeting of the Delegate Assembly is required for consideration of appeals.

6. Amendments to Resolutions — (Article IX, Section 6) Any proposed amendment to a resolution that does not meet the time requirements as set in Section 3 above shall be immediately remanded to the Resolutions Committee for consideration.

7. Late Resolutions — (Article IX, Section 7), Resolutions which are not presented to the Resolutions Committee at least 150 days prior to the Annual Meeting of the Delegate Assembly may be considered only by the following procedure: Such resolutions may be proposed by an Active Member, Association Division, Association Board of Directors, or the Resolutions Committee and submitted in writing to the Resolutions Committee. Any resolution which is not submitted in the manner described above shall not be considered by the Delegate Assembly. Late resolutions shall be considered for approval by the Resolutions Committee. The Resolutions Committee may recommend approval or disapproval of the late resolution to the Delegate Assembly. Any such resolution disapproved by the Resolutions Committee may be appealed by a seventy-five (75)% majority vote of the delegates present. Delegates seeking authority to present late resolutions at the Annual Meeting of the Delegate Assembly shall provide copies for all delegates present at the meeting, including rationale and relevant supporting documentation.

8. Order of Resolutions — Each resolution to be adopted will be considered in the following order of categories: Educational Programs, Financing Public Education, Legislative Activity, Board Operations and Duties, Board Employee Relations, Local State Federal Relations, and District Organization and Elections. Reaffirmation or deletion of existing positions will be done with a single motion unless a delegate wishes a particular position or positions to be considered separately.

NOMINATING COMMITTEE REPORT

AUGUST 2020

The 2020 Nominating Committee proposes the following officer slate for Delegate Assembly consideration, 10 a.m., Saturday, November 14, 2020.

President – Tom Neeley
Morton CUSD 709

Vice President – Simon Kampwerth Jr.
Peru ESD 124

2020 NOMINATING COMMITTEE MEMBERSHIP

Joanne Osmond, Chair
Immediate Past President

Mark Christ
O’Fallon THSD 203

Dennis Inboden
Robinson CUSD 2

Sue McCance
CUSD 3 Fulton Co

Sheila Nelson
Cairo USD 1

Carla Joiner-Herrod
Lindop SD 92

Marc Tepper, Alternate
Kildeer-Countryside CCSD 96

NEW RESOLUTIONS

FINANCING PUBLIC EDUCATION – STATE

1. Loan Program

Submitted by: Grayslake Community High School 127

BE IT RESOLVED THAT the Illinois Association of School Boards shall request the State of Illinois establish a low-cost loan program for public school districts. This program will allow local dollars to flow more directly to students while providing relief to local taxpayers.

District Rationale: Due to the pandemic and economic downturns, school districts face significant reductions in revenue, while at the same time needing to invest significantly to keep students and teachers safe. Safe schools are integral to opening our economy. Because school districts can borrow far less easily than the State or Federal government, we request the State of Illinois establish a low-cost loan program for public school districts. This program will allow local dollars to flow more directly to students while providing relief to local taxpayers.

Resolution Committee Rationale: The submitting district explains that a program like this is needed because districts are likely going to see a reduction in revenue due to the economic downturn resulting from the pandemic, and that districts can borrow far less easily than the State or Federal governments. The district adds that this program will allow local dollars to flow more directly to students while providing relief to local taxpayers.

The State of Texas has a program that assists school districts with good credit ratings in obtaining low cost interest bonds. The program was established in 1854 and is mostly funded from royalties and mineral rights (oil and gas).

The Committee was concerned about the uncertainty of where funds would come from to create a program like this in Illinois. It was, however, recognized that there is a significant need for financial assistance for school infrastructure. The Committee questioned the idea of a loan program for funds districts could use to cover costs the State should be helping districts pay for.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

LEGISLATIVE ACTIVITY

2. Gun Storage

Submitted by: Glen Ellyn SD 41; CCSD 93 (Carol Stream)

BE IT RESOLVED THAT the Illinois Association of School Boards shall support and advocate for legislation which strengthens child safe gun storage laws in the state of Illinois, requiring gun owners to store firearms, whether they are loaded or unloaded, in a securely locked container, if a person under the age of 18 is likely to gain access to the weapon without permission.

District Rationale: Illinois currently prohibits any person from storing or leaving his or her firearm unlocked and accessible to a minor under the age of 14 if that person knows or has reason to believe that the minor under the age of 14 who does not have a Firearm Owner's Identification (FOID) card is likely to gain access to the firearm and the minor causes death or great bodily harm with that firearm. Research indicates that strong child access prevention laws decrease unintentional shootings, suicides, and school shootings. Between 70% and 90% of guns used in school shootings perpetrated by shooters under the age of 18 were acquired from the home or the homes of relatives or friends. Furthermore, more than half of gun owners store at least one gun unsafely, without any locks or other safe storage measures. In fact, nearly a quarter of all gun owners report storing all of their guns in an unlocked location in the home. While some data suggests that gun owners with children in the home are slightly more likely than other gun owners to store firearms safely, roughly 4.6 million minors live in homes with loaded, unlocked firearms.

58% of school shooters were current or former students, staff, faculty, or school resource officers. Because these perpetrators are part of the school, they are also familiar with active shooter protocols within the district, and can plan accordingly. Illinois's current safe storage laws only apply to children up to age 14. A study by *Education Week*, whose findings were reported in an article in their magazine in April 2019 says, "Finally, schools can make it harder for students to act upon violent intent. Sensible security upgrades are part of this, but more important may be tackling the availability of guns. Our data show that 80% of school shooters get their guns from family members, most often parents and grandparents, since they are too young to purchase them themselves."

Knowing how school shooters gain access to their guns and the likelihood that they are familiar with the school and have easy access to guns compels us to advocate for raising the safe storage age limit to 18 to capture the school-aged population in our public K-12 schools.

Resolution Committee Rationale: The vast majority of IASB position statements deal directly with issues that happen inside of a school district. This proposal would be a departure from that practice, and the Committee questioned whether Association resources should be spent on a non-educational issue. While the committee considered the arguments of the submitting district on the potential impact on students, the majority of members felt this was not an issue for IASB's involvement.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

The submitting district has appealed the recommendation of the committee and will have an opportunity to bring the proposal to the Delegate Assembly.

3. School Report Card

Submitted by: Peoria SD 150

BE IT RESOLVED THAT the Illinois Association of School Boards shall support legislation that would direct the Illinois State Board of Education to prepare and disclose all available school report card data for the current academic year by June 1, of that year.

District Rationale: School boards, families, and other community stakeholders utilize school report card data to make decisions and assess progress from year to year. Standardized tests like NWEA are taken electronically throughout the year and the Illinois Assessment of Readiness (IAR) typically occurs in March. Graduation requirements and progress measures are evaluated in the lead up to the end of the school year. However, the public release of that data in the compiled school report card does not occur until late October of the following academic year. By this time in the following school year, evaluations have been completed, goals have been set and people have moved on, all without being informed by this critical data set. If that assessment data is to be useful at all for policy-making and community consideration it needs to be available electronically and promptly, like other public data sets.

Resolution Committee Rationale: The submitting district's rationale is sound regarding the information in the report card that affects planning for teaching and student learning. The philosophy that timely receipt of learning assessments is critical to effective student learning can also be found in current IASB position statements 1.08 Standardized Test Procedures and 1.09 Student Assessment. Both of these recommend a timeline more effective for schools to respond effectively to the learning needs of students.

Unfortunately, the Illinois State Report Card includes information that cannot be tabulated and reported until the close of the fiscal year, June 30. In addition to that, in many districts a June 1 deadline for this data would be impossible to meet to determine student placement and graduation completion criteria, as many students are finishing the last quarter after June 1.

The Resolutions Committee agreed that untimely information regarding student learning hinders the ability of schools to meet the learning needs of students, but also felt that the report card would not be the best way to expedite assessment results for the purposes stated. IASB staff and committee members agreed to continue work to address this issue in other ways.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

4. Pre-K Teacher Licensure

Submitted by: Avoca 37

BE IT RESOLVED THAT the Illinois Association of School Boards shall advocate for legislation mandating the Illinois State Board of Education require pre-service teachers seeking licensure in the areas listed compete at least one undergraduate level literacy education course solely dedicated to scientifically proven methods of reading instruction. Before being granted licensure in the following areas, individuals must receive a passing score on the Foundations of Reading Exam. Licensure areas that should meet these requirements are: Early Childhood Education, Early Childhood Special Education, Elementary Education, English Language Arts, Middle Grades Language Arts, Reading Specialist, Reading Teacher, Special Education, and Speech Language Pathologist.

District Rationale: In the 2019 National Assessment of Educational Progress report, only 34% of Illinois 4th graders and 35% of Illinois 8th graders taking the test scored as “Proficient or Above” for their grade level. Low literacy level can be a lifelong obstacle to success, academically and economically. Such an obstacle not only correlates to behavioral challenges and higher dropout rates for students, but in the long term low literacy represents a challenge for communities’ and broader economic success in Illinois. For too long, despite there being clear scientifically supported evidence on how to teach our youngest students to read successfully, teacher education programs in Illinois have failed to provide pre-service teachers the appropriate coursework. These methods are clearly identified by long standing scientific research and include but are not limited to: phonemic awareness, phonics, spelling, decoding, and comprehension.

In a 2020 study conducted by the National Council on Teacher Quality 43% of university teacher education programs in Illinois earned a “D” or “F” grade for how they prepared students to teach scientifically proven methods for reading. “Not only does Illinois not do well, but there are no signs of improvement and that runs counter to what we’re seeing in many states,” said Kate Walsh, president of the National Council on Teacher Quality. “It’s extremely frustrating to see. Kids aren’t learning how to read and what is more damaging to your life than not learning that essential skill?”

The most effective path to ensure that teachers in Illinois are trained in the scientifically proven methods of reading instruction so that the future of Illinois students, communities, and the economy is more secure than it is today.

Resolution Committee Rationale: Teacher Preparation programs that anticipate having a self-contained environment usually have reading courses as a part of their curriculum, however, with the passage of Public Act 101-0220 the requirement that teacher candidates pass a test of basic skills to receive a Professional Educator License was eliminated. Now, skills in the area of Reading are only tested for content endorsements.

Historically, IASB has not taken positions on teacher education programs at universities. School districts have the authority to include the criteria it desires when posting teacher vacancy positions. If a school district desires this additional accreditation, it could require it. Committee members were also concerned that by statutorily increasing standards for teacher licensure and adding new testing requirements could have an adverse effect in filling teaching positions in some areas of the state. This would be even more problematic given the current teacher shortage situation. Lastly, the original resolution seems to add a mandate, which traditionally IASB advocates against opting for local flexibility instead.

The Committee supported the concepts within the original resolution. However, it was noted that the language of the original resolution was too rigid in its approach.

The Resolutions Committee **RECOMMENDS DO NOT ADOPT**.

The submitting district has appealed the recommendation of the Committee and will have an opportunity to bring the proposal to the Delegate Assembly.

The Committee did approve the following replacement language for this resolution:

BE IT RESOLVED THAT The Illinois Association of School Boards shall support initiatives in teacher preparation programming that prepare teachers to be trained in scientifically proven methods of reading instruction that promote student literacy.

5. Teacher Shortage

Submitted by: Altamont CUSD 10

BE IT RESOLVED THAT the Illinois Association of School Boards shall support efforts to direct the Illinois State Board of Education to expand the issuance of provisional teacher licenses to all curricular areas.

District Rationale: The State of Illinois is currently experiencing a shortage of teachers to meet the educational needs of its students and communities. This shortage of teachers is having an impact across the state, particularly in rural areas. This shortage is hitting certain curricular areas especially hard, as those areas have typically been the targets of reductions by school districts to meet the ever increasing costs of education. With the coming state mandate that will raise the minimum teacher's salary to \$40,000 beginning in 2022, this problem will become even greater for rural schools whose budgets are limited by local property values and strained by state requirements.

The Illinois State Board of Education (ISBE) has taken steps to alleviate this problem by issuing temporary licensure for certain curricular areas. With a prescribed number of hours in a related field and a bachelor's degree from an accredited institution, a person may qualify for a provisional license to teach in these curricular areas for up to five years, with another five-year renewal possible if the district has not been

able to successfully fill the position. Currently, our district has taken advantage of this provision to provide our students with educational opportunities in Industrial Technology, and the program is flourishing.

However, ISBE has not extended the provisional license option to enough curricular areas. In accessing any of the available job placement boards it becomes clear that there is a dramatic statewide shortage of licensed teachers in curricular areas such as Foreign Language, Physical Education, and Special Education. Our district has had the good fortune of finding licensed teachers in those areas in the past, but we were unable to fill an open position in Physical Education for the past school year, and have had zero licensed applicants for our open Spanish position. Each of those positions has had interested parties who would otherwise meet the Provisional License requirement of the State Board of Education, but Illinois does not offer a Provisional License in those curricular areas.

Resolutions Committee Rationale: The Illinois State Board of Education has streamlined the requirements for qualified teachers to earn short-term approvals and endorsements in high-demand areas. Among the changes, short-term approvals returned in 2015 in response to feedback from school districts that emergency credentials were needed in all content areas to staff unfilled classrooms. The short-term approval is now available in all areas and grade spans, except in driver's education and special education. The short-term emergency approval allows individuals who have met some, but not all, of the requirements for the Learning Behavior Specialist I endorsement to begin teaching special education.

The submitting district specifically mentioned not being able to fill positions in the areas of Physical Education, Foreign Language, and Special Education. Both the Short-Term Approval for Teachers at All Grade Levels and the Short-Term Emergency 25.48 licensure options allow for filling the specific areas of need. Most can be filled with candidates with the minimum requirements of a valid Professional Educator License (PEL) endorsed in a teaching field, and official transcripts showing completion of nine hours of coursework in the subject area to be taught. Both licenses are valid for three years which allows for candidates to work towards the requirements for the corresponding endorsement during the validity period. Unfortunately, these licenses will not be issued after June 30, 2023.

The approved resolution reflects a change agreed upon by the submitting district and the Committee so it encompasses all school districts. Originally, the resolution was directed only towards rural schools.

The Resolutions Committee **RECOMMENDS DO ADOPT**.

LOCAL – STATE – FEDERAL RELATIONS

6. E-Learning on Election Day

Submitted by: Naperville CUSD 203

BE IT RESOLVED THAT the Illinois Association of School Boards shall support and encourage legislation that would allow school districts to use an e-learning day or remote learning day in lieu of closing a school or the district on an election day, during a public health response requiring use of a school, or on any other day during which a school is mandated to be used for a public function during school hours.

District Rationale: School safety is a significant concern among districts across the state of Illinois. Many schools are currently used as polling places where the general public can easily access areas of the school where students are learning, which presents a potential security risk. Moreover, school districts are required to cover the cost of any enhanced security required on election days. Additionally, with the need to respond to the COVID-19 pandemic, it is becoming increasingly likely that schools may take on roles in public health activities such as locations for vaccination drives. Therefore, this resolution allows the district to shift schools being used not only for elections, but for any mandated public function, to use e-learning or remote learning to prevent any scheduled or unforeseen disruptions in student learning and to minimize additional safety and security concerns on those days.

Resolutions Committee Rationale: The submitted resolution asks the Illinois Association of School Boards (IASB) to support legislation that allows school districts to use e-learning or remote learning days for any days that a school is required to be used for a public function during school hours, specifically when schools are used as election polling places.

School districts have been struggling with the requirement to be a polling place for elections held on school days for many years. Now that legislation has been adopted to allow school districts to hold e-Learning and remote learning for students, not requiring them to be in the school building, there are options afforded to school districts to keep students and staff safe, provide a place for required or requested public gatherings, and still provide student learning. Naperville CUSD 203 and the Committee concurred that it is critical for school districts to have the ability to consider this option but not be required to utilize e-learning or remote learning days to accommodate use of facilities by entities outside the school.

Additionally, school calendars that establish student contact days, vacation days, and other holidays are negotiated with the bargaining unit before the school year begins. E-learning or remote learning options demand much preparation and buy-in by staff, parents, and students, and it should not be assumed that schools are available to provide that type of learning at-will without sufficient notice for the school district and staff to consider implications.

The Resolutions Committee RECOMMENDS DO ADOPT.

7. Local control Pandemic

Submitted by: New Berlin CUSD 16

BE IT RESOLVED THAT the Illinois Association of School Boards shall encourage members of the U.S. Congress, the Illinois General Assembly, related administrative agencies, and state and federal courts to take a regional approach in response to national health emergencies.

District Rationale: During the most recent COVID-19 pandemic, the State had decision-making authority over pandemic closures, openings, and other guidelines despite the difference in prevalence amongst differing counties. Scott County, which had zero (0) reported cases, and Pike County, which had (1) reported case, were required to follow the same school closures as Chicago, which had 48,742 reported cases at the time, and surrounding Cook County, which had 34,843 reported cases. It would be less disruptive for students in lesser affected areas if their district or regions could determine whether a school closing was appropriate under the circumstances.

Resolutions Committee Rationale: The submitting district expressed concern that there were significant differences in the prevalence of COVID-19 cases in many areas of the state compared to Chicago and the surrounding communities, yet all areas of the state were subjected to the same closure requirements and restrictions despite those differences.

IASB has historically supported local control with a Position Statement named as such since 1976, and agreed that a stand-alone position for this specific situation was warranted.

The Resolutions Committee RECOMMENDS DO ADOPT

8. Local Control Pandemic

Submitted by: Edwards County CUSD 1

BE IT RESOLVED THAT the Illinois Association of School Boards shall support and advocate for schools to open back up and allow local school boards and the administration to make decisions based upon what is best for the school and school community during this COVID-19 pandemic.

District Rationale: The safety and protection of our students and school personnel is one of our most important and top priorities, and:

- Local school districts should have the ability to make decisions based upon the best interest of their students in all circumstances, and;
- There may be justifiable reasons when short term statewide or region wide school closures are appropriate, and;
- Bordering states are beginning to open up to more normal settings, and;
- Illinois still has extremely restrictive social gathering guidelines in place, and;
- There will be potentially dire consequences for Illinois Schools if schools remain closed and are not allowed to open for the 2020-2021 school year, and;
- Families are already planning to home school their children,

- or move to a bordering state to avoid remote learning, and;
- Students are missing educational, social, and co-curricular experiences by not being in school, and;
- Student athletes are having their athletic careers stripped away from them while other States are making allowances and resuming sports, and;
- Seniors are making preparations to attend college outside of Illinois due to the uncertainty in the State while other states are making provisions and arrangements for in-person instruction in tandem with online learning, and;
- The financial wellbeing of Illinois Schools has been turned upside down as a result of the State shutdown, and as a result Illinois schools are falling further from the Adequacy

Target, and;

- If Illinois Schools are not allowed to open and operate somewhat normal in August, many staff members potentially will be laid off, adding to the already enormous unemployment crisis in Illinois.

Resolution Committee Rationale: The submitted resolution addresses an issue very similar to Resolution 7.

Since it is so similar, and as the Committee voted a “Do Adopt” motion on that, the recommendation for this resolution was “Do Not Adopt” so as not to have duplicate resolutions.

The Resolutions Committee RECOMMENDS DO NOT ADOPT.

REAFFIRMATION OF EXISTING POSITIONS

EDUCATION PROGRAMS

9. Position Statement 1.16 Renewal of Charters

Submitted by: Woodland CCSD 50

THE ILLINOIS ASSOCIATION OF SCHOOL BOARDS SHALL urge adoption of legislation that allows for participation of the host school district in the charter school renewal process for State Authorized Charter Schools.

District Rationale: Once the charter school is authorized by the State over the objection of the local school board, the school board loses all opportunity to participate in the 5-year renewal proceedings. The local school board lacks any opportunity for meaningful input, participation, or challenge related to the renewal process, despite funding 100% of the charter school (millions of dollars annually). It is akin to taxation without representation. Local control must be honored.

Resolutions Committee Rationale: The resolution would reaffirm current Position Statement 1.16.

The issue presented in the resolution would only apply to the districts that “host” a state authorized charter school. State authorized charter schools are charter schools run by an entity of the State of Illinois and in existence over the opposition of local school districts. State authorized charter schools present fiscal challenges to local school districts because they receive per capita tuition dollars from Illinois that were originally designated for the host district.

The Resolutions committee RECOMMENDS DO ADOPT.

10. Position Statement 1.17 Charter Schools – At-Risk Students

Submitted by: Woodland CCSD 50

THE ILLINOIS ASSOCIATION OF SCHOOL BOARDS SHALL urge the adoption of legislation that defines the special expectations of State Authorized Charter Schools to educate at-risk students, including the requirement that the State Authorized Charter School’s program and operations be specifically designed to attract and service at-risk students, and that the State Authorized Charter School be required to report to the public its progress in achieving these expectations.

District Rationale: The State Charter School Commission and the Illinois State Board of Education have failed to hold charter schools accountable for balanced enrollment of at-risk students at State Authorized Charter Schools. The Commission and ISBE have taken the position that while the School Code requires charter schools to place a “special emphasis” on educating at-risk students, such language is aspirational and not a requirement. Without a legislative cure, State Authorized Charter Schools are allowed to perpetuate discriminatory practices to deter at-risk student enrollment (students who need and deserve a premium of resources), while receiving 100% of the local tuition rate.

Resolutions Committee Rationale: The resolution would reaffirm current Position Statement 1.17.

In the Charter School Article of the Illinois School Code, the General Assembly declares one of the purposes of charter schools is, “to increase learning opportunities for all pupils, with special emphasis on expanding learning experiences for at-risk pupils.” One major issue with charter schools applying the expectation of the law is the lack of a clear definition of “at-risk” students. “At-Risk” is defined differently in various sections of law and administrative rules.

The Resolutions Committee RECOMMENDS DO ADOPT.

FINANCING PUBLIC EDUCATION – STATE

11. Position Statement 2.27 State Authorized Charter School Funding

Submitted by: Woodland CCSD 50

THE ILLINOIS ASSOCIATION OF SCHOOL BOARDS SHALL urge adoption of legislation which would create a new methodology for the funding of State Authorized Charter Schools which would not have a negative financial impact on the host district, particularly in the spirit of evidence based funding. With respect to State authorized virtual charter schools, further limit the withholding of State funds from host school districts in proportion to the per pupil expenditure used for building maintenance, classroom supplies, transportation, safety and security, and other costs unique to “brick and mortar” schools. For all State-authorized charter schools, require that proof of continuing enrollment and attendance be submitted quarterly, with prorated refunds to the host school district upon withdrawal of students from the charter school.

District Rationale:

1. The loss of students from the school district to the charter school does not equate to a proportionate reduction in host district expenses. Charter schools are the opposite of the consolidation theory. Educating the same number of students with additional facilities, additional administration and additional staff – all without additional funding from the State – is unsound.
2. The diversion of 100% of a school district’s “per capita tuition charge” means that school boards and local

taxpayers pay for 100% of charter school tuition, despite opposing the creation of the charter school. Local control must be honored and restored.

3. The State assumes no financial responsibility for the charter school, despite opening the school over the objection of the local school board. The State oversees the operations of the school; thus it should bear responsibility for the funding of the school.
4. The current funding model erodes the values and the intent of evidence-based-funding (EBF) for school districts and ensures that State Authorized Charter Schools receive all the benefits of EBF, even if the student body at the charter school is vastly different. Effectively, charter schools can receive a funding windfall by receiving 100% of the local tuition rate, while not being required to provide the same/similar services and operations to the same student population.

Resolutions Committee Rationale: The resolution would reaffirm current Position Statement 2.27.

State-authorized charter schools continue to be a major issue as “host” districts have to scramble to find a way to deal with fewer revenues from the State of Illinois while still providing a quality education to the students they serve.

Current law takes state funding from a local district and distributes it to a state authorized charter school. If the local school district looked to raise revenue and provide additional resources to students from local sources, the state-authorized charter schools would receive an even larger share of the local districts’ state funding.

The Resolutions Committee RECOMMENDS DO ADOPT.

NEW BELIEF STATEMENTS

12. Equity

Submitted by: Indian Prairie SD 204

The Illinois Association of School Boards urges its member districts and the leadership of member districts to integrate the principles of equity and inclusion in school curriculum, policies, programs, and operations, ensuring every student is welcomed and supported in a respectful learning environment.

District Rationale: The School Board Association, representing the State of Illinois, must have as part of its Belief Statements its unequivocal and uncompromising belief that equity must be a priority and, within each district, that must begin with the local Board of Education. The principles should be found in the entire educational spectrum, as the value of each student must be affirmed in all facets of their school experience. If our board leaders provide the example, then the probability is enhanced that

the inherent dignity and equal rights of each student will be recognized.

Resolutions Committee Rationale: The submitted resolution would add a new Belief Statement.

Currently, IASB does not have a Belief Statement that mentions diversity, equity, or inclusiveness. With the importance and timeliness of the ideas of equity and inclusion, it is appropriate that member districts are asking for IASB to be a source of direction.

The Committee supported the concept that the Illinois Association of School Boards needs to be an equity and inclusiveness leader in the area of education for the state of Illinois.

The Resolutions Committee RECOMMENDS DO ADOPT

POSITION STATEMENTS DELETIONS AND AMENDMENTS

1.02 Curricular Material Determination

The Illinois Association of School Boards shall support the right and responsibility of each local school board to determine its curricular content including opposing any mandated Curriculum, that comes from the Common Core Standards. (Adopted 1981; Amended 1983, 1988, 2001, 2013)

Rationale: Amend. The Common Core Standards are no longer implemented in Illinois.

1.15 Virtual Charter Schools

The Illinois Association of School Boards shall encourage the ~~Charter School Commission~~ Illinois State Board of Education to develop regulations that ensure State-authorized virtual charter schools meet the full needs of Illinois students and follow the intent of current State laws prohibiting the use of public funds for profit-driven educational firms. ~~Examples of such regulations might include, but not be limited to, the following:~~

- ~~Assurance of student access to teachers, including information regarding teacher accessibility, teacher/student ratio, and amount of teacher/student contact time~~
- ~~Evidence of the social-emotional well-being of students, such as information regarding opportunities for peer interaction and collaboration, adult advisory resources, and protocols to prevent bullying or other inappropriate online behavior~~
- ~~Not-for-profit entities that sponsor virtual charter schools shall be in existence for at least one year before submitting a virtual charter school proposal and operate under the Open Meetings Act and the Freedom of Information Act once a charter school has been approved~~
- ~~Entities proposing virtual charter schools are limited to submitting a proposal to only one school district per year~~
- ~~Members of the not-for-profit board that proposes a virtual charter school must demonstrate a direct link to the community in which it is proposing a charter school, through either residency, employment, or education~~
- ~~Funding for State authorized virtual charter schools shall be reduced proportionately to reflect annual State aid prorations, as well as per pupil expenditure used for building maintenance, classroom supplies, transportation, and other costs unique to the services provided by a “brick and mortar” school. (Adopted 2013)~~

Rationale: Amend. The Charter School Commission has been abolished and those duties and responsibilities were transferred to the Illinois State Board of Education. The opening statement is sound on its own and hypothetical examples are not necessary.

1.19 Data Equity

~~The Illinois Association of School Boards shall support legislation allowing non-unit districts to enter into agreements to share student data to the same extent and with the same ease as unit districts. (Adopted 2014)~~

Rationale: Delete. After further research on the issue, it was found that dual districts can share such data with each other to better align curricula and other programs under current law and practices.

2.01 Priority And Support

The Illinois Association of School Boards shall urge the Governor and General Assembly of Illinois to establish education as the number-one priority of state government, to increase funding of education to such levels as would be necessary to implement the constitutional requirement that the state have primary responsibility for financing the system of public education, including full funding of the Evidence-Based Funding formula. ~~of educational reform, and to adjust the state aid formula to offset increased inflationary costs.~~ (Portions Adopted 1973, 1977, and 1986; Amended 1988; Reaffirmed 2000, 2004, 2006, 2012, 2014)

Rationale: Amend. The position needs to be updated with the adoption and implementation of the new funding formula.

2.07 Contracting Driver's Education

~~The Illinois Association of School Boards shall support legislation authorizing school districts to provide a comprehensive driver's education program through contract. Such contracts shall be made with properly authorized persons or agencies and may include provisions calling for the use of school property. (Adopted 1982)~~

Rationale: Delete. The driver's education law and the mandate waiver law now allow for school districts to contract out for driver's education services for students – albeit with some limitations on the school district and some restrictions and mandates on the private contractor providing the service.

2.11 State Aid Payments

The Illinois Association of School Boards shall support legislation that requires the State of Illinois to make general state aid funding formula payments to school districts, on a monthly basis, during the entitlement year in which they are appropriated. Furthermore, the Illinois Association of School Boards shall support legislation that requires the State of Illinois to pay interest at the current legal rate on any payments which are late. (Adopted 1991; Reaffirmed 2000, 2014; Amended 2011)

Rationale: Amend. The position needs to be updated with the adoption and implementation of the new funding formula.

2.13 Heat Days Funding

~~The Illinois Association of School Boards shall strongly support legislation to totally fund “heat” days for our schools. (Adopted 1996)~~

Rationale: Delete. Over the years, the Illinois State Board of Education has given more flexibility to local school districts regarding school closings related to weather and other emergencies.

2.19 School Funding And Taxation Reform

The Illinois Association of School Boards shall actively support the general concepts regarding school funding reform, property tax relief, and tax reform identified in the legislative outline prepared by the Center for Tax and Budget Accountability in June of 2004. Legislation resulting from that legislative outline shall be supported by the Illinois Association of School Boards provided that oppose school funding and tax reform proposals unless the State guarantees that the payment of property tax relief grants will be made in a timely fashion with no loss of funds to the school district and that school districts have continued access to local property tax revenues through levies and referenda, the legislation meets the criteria outlined in the IASB Position Statement 2.37—School Finance Reform.

(Adopted 2004; Amended 2005; Reaffirmed 2014)

Rationale: Amend. The Center for Tax and Budget Accountability plan for school funding reform was never approved. Instead, the Evidence-Based Funding Model was put in place. There do continue to be proposals considered that would prevent access to property tax revenues by local school districts so this portion of the position is still relevant.

2.25 Multi-County School District GSA Offset

The Illinois Association of School Boards shall support legislation to modify the GSA (General State Aid) Formula calculation for multi-county PTELL (Property Tax Extension Limitation Law) school districts which have lost GSA experienced a loss of state aid for current and prior years due to an estimate of Equalized Assessed Value (EAV) utilized by the county providing the limiting rate to the Illinois State Board of Education (ISBE) for use in calculating a District's base funding minimum GSA. (Adopted 2010)

Rationale: Amend. The position needs to be updated with the adoption and implementation of the new funding formula.

2.29 Clock Hours Vs. Minutes

The Illinois Association of School boards shall research the impact and viability of moving from a methodology of required days of student instruction to minutes of student instruction as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, evacuations, or other events beyond the control of the school district. (Adopted 2016)

Rationale: Delete. The position statement calls for IASB to research the impact of this methodology, which IASB staff did. Further, with the enactment of the Evidence-Based Funding Model in fall of 2017, the long-standing "clock hour" provision was eliminated to give school districts more flexibility in how they provided educational programs to students. In 2019, the legislature re-instated the clock hour provision over the opposition of IASB. In 2020, with the pandemic health emergency and the shut-down of schools, more changes were made to the clock hour provision – especially regarding remote learning and e-learning programs.

2.37 Property Tax Cap — GSA Calculation

The Illinois Association of School Boards shall support legislation to modify the General State Aid Formula state aid calculation for school districts subject to PTELL (Property Tax Extension Limitation Law) such as that they are not penalized when successfully passing an operating fund rate increase referendum. (Adopted 2008)

Rationale: Amend. The position needs to be updated with the adoption and implementation of the new funding formula.

2.39 School Finance Reform

Evidence-Based Funding Model

The Illinois Association of School Boards believes that adequate funding must be provided for each student in order to guarantee the opportunity for an appropriate public education, and therefore supports the Evidence-Based Funding Model for state aid distribution. This funding model meets the following principals supported by IASB:

~~Education funding should~~ It takes into account the cost associated with delivering quality, research-based programming, geographic conditions, and student needs. Fully funding districts ~~would~~ ensures adequate funding for districts to locally determine and deliver appropriate and effective educational experiences to every student.

IASB supports the need for transparency and dissemination of information, regarding the impact of proposed education funding reforms as they are developed, formally proposed, considered, and enacted. Additionally, IASB will utilize the following criteria to evaluate proposals for school finance reform:

1. ~~The state's funding of public education should~~ It provides for a stable, reliable, and predictable commitment of revenue.
2. ~~State funding levels for public education should be~~ It is a function of the actual cost of providing an appropriate education based on research, data, and current best practices.
3. Adequate funding should be sought through the addition of new state revenues for public education.
4. Any funding formula developed by the General Assembly shall It places high priority upon achieving the goal of equity in providing financial resources to local school districts.
5. Increased state funding for public education should It does not reduce the access of school districts to the local property tax base.
6. ~~In the distribution of state funds to local school districts:~~
 - ~~Funding a funding~~ differentials for various levels of schooling are ~~appropriate~~ only if based on verified costs;
 - ~~consideration should be~~ Consideration is given to regional differences in the cost of providing an appropriate education;
 - ~~the method of calculating~~ The calculation of the number of students coming from disadvantaged backgrounds should be based on current, verifiable data;
 - d. size of school district is important only to the extent that a district provides an appropriate education.

7. A specified local tax effort ~~should be~~ is required to qualify for state aid.
8. Authority for changing a district's aggregate tax levy ~~should be~~ is retained by the local board of education.
9. ~~Taxing authority without referendum for unit districts in all funds should be equal to the sum of the taxing authority in dual districts.~~

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10. ~~Funding should not be tied to mandated training of local Boards of Education. In order to obtain substantial new state revenues for funding an appropriate education, the following considerations should have an impact on any proposal for school finance reform:~~
 - a. ~~A legitimate level and type of accountability will be needed.~~
 - b. ~~The physical plant needs of Illinois' school districts should be addressed.~~
 - c. ~~Taxpayer equity and relief, including uniform tax assessment and procedures as well as tax relief for limited fixed income and disabled citizens, should be provided. (Adopted 1990; Amended 1996, 2008, 2014, 2016; Reaffirmed 2001, 2012)~~

Rationale: Amend. The position needs to be updated with the adoption and implementation of the new funding formula.

4.01 Attention Deficit Disorder

~~The Illinois Association of School Boards shall encourage the Illinois State Board of Education (ISBE) to continue to study Attention Deficit Hyperactivity Disorder and methods to accurately identify and meet the educational needs of children with this disorder. Further, IASB shall seek clarification of state policies and categories of special education to provide for consistency in special education placement and disseminate relevant information from the ISBE to local school districts. (Adopted 1992)~~

Rationale: Delete. The position calls for IASB to "encourage" the ISBE to study the issue – that has been done. Further, much has been learned on this matter since 1992 and many changes have taken place in addressing these students.

4.04 School Board Member Training

The Illinois Association of School Boards shall oppose any legislation that includes a ~~provision for additional requirements or expansion of~~ mandatory training of school board members. IASB encourages local boards of education to model continuous improvement by pursuing all professional development and training opportunities. IASB, with its unique combination of expertise and resources, is uniquely in the position to be the primary agency responsible for school board member training and professional development as recognized by Article 23 of the School code, and any such legislation requiring school board member training shall specifically list IASB as a training provider. (Adopted 2008; Amended 2012)

Rationale: Amend. Mandatory school board member training has been the law for several years and, at the time, IASB helped draft the language knowing passage was probable despite IASB opposition, so the essentials of board governance were the required training subjects. There is a concern that an endless list of new topics could be added if IASB membership is not vigilant.

5.03 Collective Bargaining

The Illinois Association of School Boards shall strongly oppose legislation that diminishes the local school board's ability to collectively bargain with employees and shall encourage the General Assembly, ~~the Illinois State Board of Education, and the State Superintendent to refrain from passing legislation and the Illinois State Board of Education or State Superintendent of Schools from promulgating administrative rules or issuing guidance documents~~ that tips the balance of the bargaining process in favor of employee bargaining units. The Association shall continue to oppose any change in the collective bargaining law which fails to protect the rights of students, employees, taxpayers, and boards of education and their administrative staffs. (Adopted 1981; Amended 1985, 2001; Reaffirmed 2012)

Rationale: Amend. Neither the Illinois State Board of Education nor the State Superintendent of Schools can pass legislation, but they have attempted to do this through these other channels.

5.06 ESP Contracts

The Illinois Association of School Boards shall support legislation that allows local school boards to determine locally all contractual arrangements for education support personnel. (Adopted 1990)

Rationale: Amend. It is suggested the title be changed to more accurately reflect the content of the position statement.

5.09 IMRF Qualification

The Illinois Association of School Boards shall support legislation that would amend the Illinois Municipal Retirement Fund (IMRF) laws for non-certified school staff to change, at each local district's option, the number of minimum hours an employee would work to qualify for IMRF from the current 600-hour standard to a 1,000-hour standard. This change would only be for new employees after the effective date of the legislation. (Adopted 1994)

Rationale: Delete. There has been no desire for change to this standard in over 25 years and this issue has not been raised again by IASB membership since then.

6.05 State Board Of Education Membership

The Illinois Association of School Boards shall participate in the development of legislation amending Section 105 ILCS 5/1A with a goal of insuring fair representation on the State Board of Education from all geographic areas of Illinois. (Adopted 1999)

Rationale: Delete. Since 1999, the statute regarding the make-up of the Illinois State Board of Education has been amended to assure geographical and political balance. Board members must be apportioned so that the City of Chicago, suburban Chicago counties, and downstate must be represented. There are also at-large members to assist with this balance. Further, some members must be from the educator community.

6.09 Students On Public Aid

The Illinois Association of School Boards shall seek and support legislation to mandate that students of families receiving State/Federal financial assistance (e.g. welfare, AFDC) maintain "regular" attendance as a stipulation for receipt of same. (Adopted 1995)

Rationale: Amend. The terms given as examples are obsolete.

6.10 School Holidays — Local Option

The Illinois Association of School Boards shall support legislation that would allow local school districts the authority to decide whether to observe legal holidays as a day of non-attendance for students. (Adopted 1996)

Rationale: Delete. Local school districts may decide whether to observe holidays by applying through the mandate waiver process through the Illinois State Board of Education. Such waivers are routinely requested – and approved – by the ISBE each year.

6.13 Support Services To Private Schools

The Illinois Association of School Boards shall support modifications in the Illinois Intergovernmental Agreement Act to allow public school districts to work together in a time and cost efficient manner to provide support services to private schools as required by the U.S. Supreme Court rendered in the case of *Agostini v. Felton*, 65 U.S.L.W. 4526. (U.S. June 23, 1997) (Adopted 1997)

Rationale: Delete. This issue has not been brought up by IASB membership in over 20 years.

6.23 PARCC Testing Results

The Illinois Association of School Boards shall petition the Illinois State Board of Education to fairly report discrepancies in the scoring of state required standardized testing: 1) between paper and pencil versus electronic results AND 2) within the electronic testing method. Further, that such discrepancies will be made public so that schools may provide said information to parents and media when the testing results are reported as required under state law. (Adopted 2017)

Rationale: Delete. The PARCC test is no longer administered in Illinois.

7.10 Board Vacancy Filings

The Illinois Association of School Boards shall support legislation to increase the timeline to fill a school board vacancy from 45 days to 60 days to allow school boards more time to fill such vacancies. (Adopted 2014)

Rationale: Delete. IASB was successful in passing legislation to meet this objective.

BELIEF STATEMENTS

~~4. The Illinois Association of School Boards believes that a comprehensive restructuring is needed in the way public schools are funded in Illinois and that IASB should be an active partner in responsible grassroots initiatives for school funding reform.~~

Rationale: Delete. A comprehensive restructuring of education funding took place with the adoption of the Evidence-Based Funding Model. Further, school funding is adequately covered in position statements 2.01, 2.19, and 2.39.

~~7. The Illinois Association of School Boards supports teacher salaries which are performance-based, market-sensitive, professionally competitive, and which are tied to an effective evaluation system.~~

Rationale: Delete. Position statement 5.02 adequately covers the issue of teacher salaries.

9. The Illinois Association of School Boards believes that local boards of education should be prepared for possible public health crises (such as an Avian Flu pandemic) and other public safety concerns. IASB should obtain the most recent and accurate information from the pertinent federal, state, and local agencies and disseminate such information to school districts throughout the State. School districts are encouraged to adopt proactive pandemic preparedness strategies. IASB also encourages school participation in the National Fire Protection Association's campaign for fire escape planning and practice among our member families and citizens.

Rationale: Amend. The example given is dated and any new example given would likely eventually be viewed the same. The last sentence does not address the same subject and detracts from the main statement.

~~10. The Illinois Association of School Boards urges local boards of education to provide education programs on awareness of the advantages of wearing bicycle helmets when riding bicycles.~~

Rationale: Delete. Legislation was enacted in 2018 that requires school districts to provide education to students in grades K-8 on safe bicycling.

~~11. The Illinois Association of School Boards urges its member districts to limit career exploration activities to non-school attendance days or to school-run career~~

~~days. In addition, the Association believes Take-Your-Daughter-to-Work Day should be designated for a non-attendance day and should also consider working to make this day non-gender specific.~~

Rationale: Delete. The issue of “Take-Your-Daughter-To-Work Day” seems to have taken care of itself as it has not been brought up by IASB membership in years.

The Resolutions Committee RECOMMENDS DO ADOPT on all proposed deletions and amendments.

CURRENT POSITIONS

EDUCATIONAL PROGRAMS

1.01 Educational Programs

The Illinois Association of School Boards urges its member districts to develop educational programs to maximize educational opportunities for students by fully utilizing teacher and staff potential, community resources, and physical facilities. The goal of each district shall be to serve the interest, talents, and needs of each child through an outstanding well-balanced program. The Association shall also encourage its members to increase their awareness of the Mental Health Code (405 ILCS 49/15) which supports developments and implementation of a plan to incorporate social and emotional standards as part of the Illinois Learning Standards. (Adopted 1959; Amended 1988, 2009)

1.02 Curricular Material Determination

The Illinois Association of School Boards shall support the right and responsibility of each local school board to determine its curricular content including opposing any mandated curriculum that comes from the Common Core Standards. (Adopted 1981; Amended 1983, 1988, 2001, 2013)

1.03 Physical Education

The Illinois Association of School Boards shall support modifications to existing state mandates which shall allow boards of education to establish time requirements and appropriate exemptions for physical education at the K-12 level. (Portions Adopted 1982, 1986; Reaffirmed 1984, 1987; Amended 1988, 1995, 2013)

1.04 P. E. Exemption for Show Choir

The Illinois Association of School Boards shall attempt to have legislation passed that would amend 105 ILCS 5/27-6 of the School Code of Illinois to grant an additional exemption for students, grades 9-12, enrolled in an ongoing Show Choir program for credit. (Adopted 2012)

1.05 Student Retention And High School Completion

The Illinois Association of School Boards shall urge Congress and the Illinois General Assembly to commit the appropriate resources and develop programs that would reduce the dropout rate throughout the state of Illinois with specific emphasis on early intervention in the elementary level and continuous intervention at the secondary school level to facilitate graduation. (Adopted 1986; Amended 2003)

1.06 Preschool Programs

The Illinois Association of School Boards shall support full funding of early childhood programs operated by public schools as a priority with legislation providing new monies for both staffing and infrastructure costs associated with early childhood programs for preschool children, at-risk infants and toddlers, and grants for parental training. (Adopted 1986; Amended 2001, 2006, 2007, 2016)

1.07 Discipline For Special Education Students

The Illinois Association of School Boards shall develop and implement a legislative agenda at the Federal and State levels which urges the adoption of legislation easing the legal restrictions imposed on local school boards for disciplining students enrolled in special education programs, including the suspension and expulsion of such students, and providing for a less restrictive access to records of transferees due to expulsion. (Adopted 1994; Amended 1995)

1.08 Standardized Test Procedures

The Illinois Association of School Boards shall urge the Illinois State Board of Education to contract with a national testing company to develop a state assessment test that will test the Illinois Learning Standards on a yearly basis in compliance with, and only testing those areas required by, the federal Every Student Succeeds Act. Further IASB shall support legislation to:

- Require that the test be given no later than October of each year with results received by local school districts no later than December of that same year;
- Provide that assessments include both an annual overall performance measure as well as a system of formative classroom-level assessments that are linked to desired standards;
- Require that the test will remain the same for 10 years with only changes in the test items to maintain security;
- Require that the cut scores be set before the test results are tabulated, leaving the score ranges the same from year to year and from grade to grade; and
- Expedite and fully fund test development and implementation of an appropriate assessment instrument for English language learners. (Adopted 2002; Amended 2003, 2008, 2016; Reaffirmed 2011)

1.09 Student Assessment

The Illinois Association of School Boards shall support legislation that will modify required State student assessments so testing does not go beyond what is required by federal law, and that prohibits the Illinois State Board of Education from pursuing activities designed to expand student assessment without legislative approval. Further, the Association shall support efforts to modify the Illinois and federal student assessment processes so that they will:

- Reduce costs to schools, the state and therefore taxpayers;
- Enhance student achievement;
- Increase student instructional time;
- Facilitate test score comparability within and across state lines;
- Fairly test students who are English language learners so that their academic progress can be accurately assessed regardless of their fluency;
- Return test results in a manner that will allow school districts to maximize student learning;
- Comply with the federal accountability mandate tied to testing;
- Maintain a needed emphasis on the Illinois Learning Standards; and
- Develop a reporting process that reflects a school's progress beyond simply student assessment scores. (Adopted 2002; Amended 2008; Reaffirmed 2011)

1.10 Every Student Succeeds Act – Military Recruitment

The Illinois Association of School Boards shall work with the National School Boards Association and other coalitions to urge Congress and the General Assembly of Illinois to, regarding the Every Student Succeeds Act, replace the opt-out burden on parents with an opt-in provision with regard to the requirement of secondary schools to disclose student information to military recruiters. (Adopted 2005; Amended 2016)

1.11 School Attendance Days

The Illinois Association of School Boards shall support a policy variance by the Illinois State Board of Education to allow Unit School Districts the option to stagger the start and end date of schools within their district based on developmental and educational appropriateness, without penalty to state aid appropriations, provided that all students in the district meet required student attendance requirements. (Adopted 2004)

1.12 Funding For Differentiated Instruction

The Illinois Association of School Boards shall seek administrative and legislative actions calling for the provision of separate and sufficient new monies to support programs of differentiated instruction for those students identified as having exceptional talents and abilities, permitting these students to reach their potential. Such student talents and abilities may be in areas that expand beyond the core curricula. To ensure efficiency and productivity in the

implementation of these programs, school districts should be provided sufficient flexibility in the acquisition and expenditure of such State funds. (Adopted 2007)

1.13 Bilingual Education Options

The Illinois Association of School Boards shall request the Illinois State Legislature to pass legislation to amend the current Illinois School Code to make Transitional Bilingual Education optional and not mandatory. (Adopted 2008)

1.14 Student Academic Placement

The Illinois Association of School Boards shall support local school district and parent collaboration, evaluation, and decision-making regarding the grade-level placement of students based upon their academic, social, and emotional maturity and readiness to advance. When parental advancement requests deviate from normal school advancement, school districts maintain the authority to evaluate and place students. (Adopted 2010; Reaffirmed 2011)

1.15 Virtual Charter Schools

The Illinois Association of School Boards shall encourage the Charter School Commission to develop regulations that ensure State-authorized virtual charter schools meet the full needs of Illinois students and follow the intent of current State laws prohibiting the use of public funds for profit-driven educational firms. Examples of such regulations might include, but not be limited to, the following:

- Assurance of student access to teachers, including information regarding teacher accessibility, teacher/student ratio, and amount of teacher/student contact time
- Evidence of the social-emotional well-being of students, such as information regarding opportunities for peer interaction and collaboration, adult advisory resources, and protocols to prevent bullying or other inappropriate online behavior
- Not-for-profit entities that sponsor virtual charter schools shall be in existence for at least one year before submitting a virtual charter school proposal and operate under the Open Meetings Act and the Freedom of Information Act once a charter school has been approved
- Entities proposing virtual charter schools are limited to submitting a proposal to only one school district per year
- Members of the not-for-profit board that proposes a virtual charter school must demonstrate a direct link to the community in which it is proposing a charter school, through either residency, employment, or education
- Funding for State authorized virtual charter schools shall be reduced proportionately to reflect annual State aid prorations, as well as per pupil expenditure used for building maintenance, classroom supplies, transportation, and other costs unique to the services provided by a “brick and mortar” school. (Adopted 2013)

1.16 Charter School — Renewal Of Charters

The Illinois Association of School Boards shall urge adoption of legislation that allows for participation of the host school district in the charter school renewal process for State Authorized Charter Schools. (Adopted 2019)

1.17 Charter Schools — At-Risk Students

The Illinois Association of School Boards shall urge the adoption of legislation that defines the special expectations of State Authorized Charter Schools to educate at-risk students, including the requirement that the State Authorized Charter School's program and operations be specifically designed to attract and service at-risk students, and that the State Authorized Charter School be required to report to the public its progress in achieving these expectations. (Adopted 2019)

1.18 Student Discipline Practices

The Illinois Association of School Boards shall oppose legislative and rulemaking initiatives that enact statewide student discipline policies. IASB encourages school districts to consider policies and procedures that develop sound discipline practices which may

- Ensure a safe, responsive, and effective instructional environment
- Strive to meet the social, emotional, and behavioral needs of all Illinois students
- Strive to expedite investigations in response to alleged student misconduct and communicate findings and determinations to parents/guardians. (Adopted 2014)

1.19 Data Equity

The Illinois Association of School Boards shall support legislation allowing non-unit districts to enter into agreements to share student data to the same extent and with the same ease as unit districts. (Adopted 2014)

1.20 Longitudinal Data Systems

The Illinois Association of School Boards shall support legislation allowing local districts to enter into the necessary student data-sharing agreements to build, maintain, and utilize local longitudinal data systems in order to improve their student outcomes including college and career success. (Adopted 2014)

FINANCING PUBLIC EDUCATION — STATE

2.01 Priority And Support

The Illinois Association of School Boards shall urge the Governor and General Assembly of Illinois to establish education as the number-one priority of state government, to increase funding of education to such levels as would be necessary to implement the constitutional requirement that the state have primary responsibility for financing the system of public education, including the funding of educational reform, and to adjust the state aid formula to offset increased inflationary costs. (Portions Adopted 1973, 1977, and 1986; Amended 1988; Reaffirmed 2000, 2004, 2006, 2012, 2014)

2.02 Funding Sources

The Illinois Association of School Boards shall support the enactment of additional sources of state revenue if, after thorough examination of state funding priorities, it is determined that such additional taxes are necessary. (Adopted 1975; Reaffirmed 1987, 2014; Amended 1988)

2.03 Funding Mandated Programs

The Illinois Association of School Boards believes that legislation encroaching upon local and lay control of the public schools should be curtailed, and, therefore

- Shall oppose programs or services mandated by the Illinois General Assembly, the State Board of Education, or any other State agency, unless there is clear evidence of need for the mandate and the Illinois General Assembly provides non-local revenues to fully fund the additional costs of those programs;
- Shall urge the members of the General Assembly to strictly comply with the State Mandates Act, including specifying and labeling in the descriptions of legislation containing unfunded mandates that such mandates occur, and to refrain from passing any legislation which contains an exemption from the Act, and urge the Governor to veto any such legislation that may reach the Governor's desk;
- Shall urge State agencies and commissions that adopt regulations accompanying legislative mandates to specify required outcomes and criteria for determining compliance, and allow local districts to determine the specific methods and procedures by which required outcomes will be accomplished. Required time lines for accomplishment should reflect consideration of the human and material resources and amount of deliberation and development necessary to accomplish the mandate;
- Shall support legislation that causes all statutory and regulatory educational mandates to sunset if sufficient funding is not provided to implement such mandates and requirements. Local school districts may choose to continue to implement the mandated programs voluntarily until such time that the General Assembly appropriates the funding necessary to cover the costs of the required programs. (Adopted 1976; Amended 1988, 1989, 2001, 2005, 2013; Reaffirmed 1980, 1991, 1994, 1999, 2002, 2009, 2014)

2.04 Funding Special Education Programs

The Illinois Association of School Boards shall urge the Congress of the United States to adequately fund Public Law 94-142 (Individuals with Disabilities Education Act) commensurate with the mandates required by the Act; and

- Shall strongly encourage the State of Illinois to totally fund with new monies, in a timely manner, the extra costs of educating children with special needs including transportation and accessibility costs;
- Shall seek changes in current practice to fund local districts for special education professional personnel at 51% of the prior year's average salary for such professionals; and
- Shall continue to oppose any requirement that local public school districts pay room and board costs for any handicapped child placed in private facilities. (Portions adopted 1977, 1980, 1986; Portions Reaffirmed 1985, 1986, 2002; Amended 1988, 2000, 2001)

2.05 Corporate Personal Property Replacement Tax

The Illinois Association of School Boards shall oppose any attempt to reduce the Corporate Personal Property Replacement Tax revenues provided by the current Act. (Adopted 1981)

2.06 Impact Aid (Student Housing)

The Illinois Association of School Boards shall support legislation reinstating Impact Aid to school districts where there are students residing in housing provided on state property from which no property taxes are received. The Impact Aid shall be based on the number of students generated from the state property. (Adopted 1986)

2.07 Contracting Driver's Education

The Illinois Association of School Boards shall support legislation authorizing school districts to provide a comprehensive driver's education program through contract. Such contracts shall be made with properly authorized persons or agencies and may include provisions calling for the use of school property. (Adopted 1982)

2.08 Tax Assessment Schedules

The Illinois Association of School Boards shall seek and support legislation to promote the beneficial realignment of tax assessment dates and school levy deadlines. (Adopted 1988; Reaffirmed 1998)

2.09 Permissive Rate Equalization

The Illinois Association of School Boards shall urge the Illinois General Assembly to equalize taxing authority without referendum of dual and unit districts in all funds so that the unit districts' authority would be equal to the sum of the dual districts' tax rate. (Adopted 1981; Amended 1986; Reaffirmed 1988)

2.10 Residential Placement Costs

The Illinois Association of School Boards shall inform the General Assembly and Governor's Office that children who are wards of the State create a significant impact on local school district budgets when they are placed in temporary shelters and foster homes. Further, the State shall provide 100% of the cost of these placements. The Association:

- Shall work to increase the financial incentives to those local school districts which provide alternatives to residential placement for those students;
- Shall initiate and support legislation that will require the Department of Children and Family Services to involve local school districts in any plans for group placements of children in those districts and that funds for educating the placed youngsters must be earmarked (appropriated, planned for) in the agency's budget prior to finalizing any plan; and
- Shall seek and support legislation for the State of Illinois to provide funds to local school districts for purchasing or constructing additional classrooms that are required to provide instruction for students who reside in state facilities located within the district. (Adopted 1991; Amended 2001)

2.11 State Aid Payments

The Illinois Association of School Boards shall support legislation that requires the State of Illinois to make general state aid payments to school districts, on a monthly basis, during the entitlement year in which they are appropriated. Furthermore, the Illinois Association of School Boards shall support legislation that requires the State of Illinois to pay interest at the current legal rate on any payments which are late. (Adopted 1991; Reaffirmed 2000, 2014; Amended 2011)

2.12 Capital Funding For School Construction

The Illinois Association of School Boards shall actively work with the Illinois General Assembly and the Illinois State Board of Education to increase capital funding for public school infrastructure improvement and development. IASB shall advocate that the General Assembly study and consider additional forms of financial revenue for school construction needs, including but not limited to sales tax revenue. Any new revenue shall supplement current school construction funds, not supplant them. (Adopted 1994; Amended 1998, 2006; Reaffirmed 2007, 2014)

2.13 Heat Days Funding

The Illinois Association of School Boards shall strongly support legislation to totally fund "heat" days for our schools. (Adopted 1996)

2.14 Summer School Funding

The Illinois Association of School Boards shall support legislation to provide adequate funding to school districts to provide summer school "at-risk" academic programs. (Adopted 1996)

2.15 Local Tax Collection And Distribution

The Illinois Association of School Boards shall seek legislation to amend the tax code, or other prescriptive procedures, to minimize the punitive effects of delinquent collection and disbursement to districts of tax moneys raised by local levy. In the event tax monies are not collected or disbursed as required by State law, it shall be the county's obligation to reimburse the taxing district for any loss incurred. (Adopted 1996; Amended 1999)

2.16 Tax Levy Amendments

The Illinois Association of School Boards shall seek legislation to provide that a duly constituted Board of Education may submit an amended tax levy to avail itself of potential additional revenue through a change and increase in district EAV (Equalized Assessed Valuation), provided the original levy was properly filed on time, based upon the best information available at the time of filing, and the change in EAV has occurred since the filing of the original levy. (Adopted 1996)

2.17 Alternative Schools

The Illinois Association of School Boards shall support adequate State funding for regional alternative schooling programs. (Adopted 1997)

2.18 Tort Immunity Fund

The Illinois Association of School Boards shall oppose legislation that seeks to limit a school district's legitimate use of the tort immunity fund. This includes amendments to the Local Government and Governmental Employees Tort Immunity Act that would prohibit the issuance of bonds or the levying of taxes by a school board to fund the costs of complying with equitable remedies or relief, or with an injunction agreed to by the school board or ordered by any court. (Adopted 1998)

2.19 School Funding And Taxation Reform

The Illinois Association of School Boards shall actively support the general concepts regarding school funding reform, property tax relief, and tax reform identified in the legislative outline prepared by the Center for Tax and Budget Accountability in June of 2004. Legislation resulting from that legislative outline shall be supported by the Illinois Association of School Boards provided that the State guarantees the payment of property tax relief grants will be made in a timely fashion with no loss of funds to the school district: school districts have continued access to local property tax revenues through levies and referenda the legislation meets the criteria outlined in the IASB Position Statement 2.37 – School Finance Reform. (Adopted 2004; Amended 2005; Reaffirmed 2014)

2.20 School Construction Grant Program

The Illinois Association of School Boards shall continue to support the current School Construction Grant Program and its provisions for grant applications, grant entitlements, grant awards, and local school district authority to select architects, engineers, contractors, and laborers. All school districts with an approved school construction grant entitlement shall be paid the amount of the entitlement in its entirety before a new school construction program can be implemented. School districts shall receive a priority ranking within 90 days of the end of the current year's application cycle. The Illinois State Board of Education shall priority rank, by grant year, all school districts that have been waiting for longer than 90 days for school construction grant funds. (Adopted 2006, Amended 2014, Reaffirmed 2015)

2.21 School Construction Grant Index

The Illinois Association of School Boards shall support legislation that would amend Section 5-5 of 105 ILCS 230 to calculate the grant index in the school construction program for each of those school districts that consolidate or join for a cooperative high school after July 1, 2006 and utilize whichever grant index is highest for the newly consolidated district or cooperative high school rather than a composite index of all districts involved. (Adopted 2006)

2.22 Constitutional Amendment On School Funding

The Illinois Association of School Boards shall support passage of an amendment to the Illinois Constitution that would make education a fundamental right, would make it a paramount duty for the State to provide a thorough and efficient system of public education, and that would provide that the State has the preponderant financial responsibility for financing the system of public education. (Adopted 2006; Reaffirmed 2007, 2014)

2.23 Non-Resident Student Tuition

The Illinois Association of School Boards shall support legislation to allow legally enrolled students who have become non-residents of the district to attend the school as a non-resident student, tuition-free, only until the end of the grading period in which the student was determined to be a non-resident. The legislation should allow students who are seniors in high school, and legally enrolled on the first day of school to continue in the district, tuition free, only until the end of that school year. (Adopted 2007; Reaffirmed 2008)

2.24 ISBE Oversight Agreement

The Illinois Association of School Boards shall work to modify state statutes governing Illinois State Board of Education (ISBE) school district oversight panels or finance authorities. Statutory changes should include, but not be limited to, the following:

- Unless called for by the local school district, an oversight panel or finance authority shall not be imposed without a rigorous set of criteria proving the school district will not or cannot serve the needs of its students, staff, and community;
- Clear benchmarks and goals shall be included in the establishment of an oversight panel or finance authority and once substantially met, the oversight panel or finance authority shall be dissolved;
- Bonding authority and issuance must remain the responsibility of the elected school board so that the duration of the oversight can be minimal;
- Progress toward benchmarks and goals must be reviewed and shared with the school district under oversight on a regular basis including any reasons or criteria for inability to make progress. Review should also recommend any modifications needed to achieve success;
- Due process and review by the Attorney General must be afforded school districts when appropriate; and
- ISBE authority to establish oversight panels or finance authorities shall not be broadened to facilitate imposition of a panel or authority or to expand their oversight once put in place. (Adopted 2009; Amended 2010)

2.25 Multi-County School District GSA Offset

The Illinois Association of School Boards shall support legislation to modify the GSA (General State Aid) Formula calculation for multi-county PTELL (Property Tax Extension Limitation Law) school districts which have lost GSA for current and prior years due to an estimate of Equalized Assessed Value (EAV) utilized by the county providing the limiting rate to the Illinois State Board of Education (ISBE) for use in calculating a District's GSA. (Adopted 2010)

2.26 Categorical Reductions Prospective Only

The Illinois Association of School Boards shall support legislation requiring that any reductions in line item funds for categorical payments which are subject to reimbursement by the State (e.g. transportation or special education) shall be prospective only and shall not affect such line item costs incurred by a school district prior to such reduction but not yet claimed or approved for reimbursement. (Adopted 2011)

2.27 State Authorized Charter School Funding

The Illinois Association of School Boards shall urge adoption of legislation which would create a new methodology for the funding of State Authorized Charter Schools which would not have a negative financial impact on the host district. With respect to State authorized virtual charter schools, further limit the withholding of State funds from host school districts in proportion to the per pupil expenditure used for building maintenance, classroom supplies, transportation, safety and security, and other costs unique to “brick and mortar” schools. For all State-authorized charter schools, require that proof of continuing enrollment and attendance be submitted quarterly, with prorated refunds to the host school district upon withdrawal of students from the charter school. (Adopted 2012; Amended 2013, 2014; Reaffirmed 2016, 2017, 2018)

2.28 Special Education Student Transportation Cost

The Illinois Association of School Boards shall support legislative, administrative, or legal remedies to limit and equalize cost for Special Education Student Transportation. (Adopted 2014)

2.29 Clock Hours Vs. Minutes

The Illinois Association of School boards shall research the impact and viability of moving from a methodology of required days of student instruction to minutes of student instruction as necessary to compensate for minutes of instruction lost due to school closures caused by disaster, flood, extreme weather conditions, evacuations, or other events beyond the control of the school district. (Adopted 2016)

2.30 School Safety Grant Program

The Illinois Association of School Boards shall advocate for the creation and funding of a school safety grant program at the state level that would assist school districts in the hiring of School Resource Officers (SROs) or school security personnel for the protection of students and staff. SROs in this instance shall meet the definition in section 10-20.67 of the School Code. School security personnel may include off-duty law enforcement officers or a law enforcement officer who has retired within the previous five years. School security personnel may carry a firearm in a school if they continue receiving the same ongoing firearm training as active police officers. Priority in the distribution of grants shall be based on both geography (school districts with lengthy response times from first responders) and financial need (Tier I and Tier II districts based on the Evidence-Based Funding Model in that order) would receive priority in the awarding of the grants. (Adopted 2019)

2.31 Property Tax Assessment And Collection

The Illinois Association of School Boards shall oppose the assessment and collection of property taxes at the statewide level. (Adopted 1987)

2.32 Property Tax Base

The Illinois Association of School Boards shall oppose any reduction in a district’s access to local property tax revenue and shall oppose legislation that would erode the property tax base to educate children in the state of Illinois. (Adopted 1987; Amended 1988, 2001; Reaffirmed 2005, 2006, 2016)

2.33 Standing On Tax Appeals

The Illinois Association of School Boards shall support legislative action to enable public school districts, in Cook County specifically, to (1) receive notices of assessment appeals in excess of \$100,000; (2) become participants in assessment reduction proceedings at the administrative and judicial levels; and (3) allow the refund to be credited toward future property tax payments. Further, IASB urges that the necessary resources be made available in order to facilitate the timely processing of property tax appeal proceedings. (Adopted 1975; Amended 1988, 2000, 2005, 2006; Reaffirmed 1985)

2.34 Tax Increment Financing

The Illinois Association of School Boards shall support changes in the current Tax Increment Financing statute that will model adoption procedures after those established for Enterprise Zones, continue to provide definitions for terms such as “blighted” used in the statute, develop procedures for disbanding TIF areas that do not produce anticipated growth, remove the requirement that all taxing bodies participate equally, to be monitored by the TIF Joint Review Board at each of its scheduled meetings, reduce the financial impact of the TIF area so that the percentage loss of Equalized Assessed Valuation (EAV) involved in the TIF will not exceed twice the average loss of EAV to each taxing body, limit its use in new residential development, and make the recommendation of the Joint Review Board binding. (Adopted 1986; Amended 1990, 1997; Reaffirmed 2006, 2016)

2.35 Site Development

The Illinois Association of School Boards supports requiring builders and subdividers to dedicate land for school purposes or to make cash payments in lieu of such dedications and to allow cash payments to be used for operational expenses. (Adopted 1971; Amended 2004)

2.36 Property Tax Cap

The Illinois Association of School Boards shall oppose any limitation which would require school boards to have to go to referendum to gain authorization to extend taxes to limits previously authorized by the voters. The Association shall support legislation designed to:

- Exempt the districts in counties under the Property Tax Extension Limitation Law (PTELL) from the restrictions of the tax cap in their Fire and Life Safety, IMRF, Social Security and Tort Immunity funds

- Base the property tax cap on the Employment Cost Index (ECI) rather than the Consumer Price Index;
- Base any such index (CPI or ECI) on a method for calculating average over time to lessen the unpredictability of tax capped local resources; and
- To establish a “floor” to PTELL to ensure that the allowable percentage increase in
- The extension cannot be less than the allowable percentage increase in the 1998 levy year. (Adopted 1990; Amended 2001, 2002, 2006, 2009; Reaffirmed 1991)

2.37 Property Tax Cap – GSA Calculation

The Illinois Association of School Boards shall support legislation to modify the General State Aid Formula calculation for school districts subject to PTELL (Property Tax Extension Limitation Law) such as that they are not penalized when successfully passing an operating fund rate increase referendum. (Adopted 2008)

2.38 Property Tax Classification

The Illinois Association of School Boards shall oppose any reduction in real estate assessment for residential property which is not offset on a one-to-one ratio. (Adopted 1991; Reaffirmed 2016))

2.39 School Finance Reform

The Illinois Association of School Boards believes that adequate funding must be provided for each student in order to guarantee the opportunity for an appropriate public education. Education funding should take into account the cost associated with delivering quality, research-based programming, geographic conditions, and student needs. Fully funding districts would ensure adequate funding for districts to locally determine and deliver appropriate and effective educational experiences to every student.

IASB supports the need for transparency and dissemination of information, regarding the impact of proposed education funding reforms as they are developed, formally proposed, considered, and enacted. Additionally, IASB will utilize the following criteria to evaluate proposals for school finance reform:

1. The state’s funding of public education should provide for a stable, reliable, and predictable commitment of revenue.
2. State funding levels for public education should be a function of the actual cost of providing an appropriate education based on research, data, and current best practices.
3. Adequate funding should be sought through the addition of new state revenues for public education.
4. Any funding formula developed by the General Assembly shall place high priority upon achieving the goal of equity in providing financial resources to local school districts.
5. Increased state funding for public education should not reduce the access of school districts to the local property tax base.

6. In the distribution of state funds to local school districts:
 - a. Funding differentials for various levels of schooling are appropriate only if based on verified costs;
 - b. Consideration should be given to regional differences in the cost of providing an appropriate education;
 - c. The method of calculating the number of students coming from disadvantaged backgrounds should be based on current, verifiable data;
 - d. Size of school district is important only to the extent that a district provides an appropriate education.
7. A specified local tax effort should be required to qualify for state aid.
8. Authority for changing a district’s aggregate tax levy should be retained by the local board of education.
9. Taxing authority without referendum for unit districts in all funds should be equal to the sum of the taxing authority in dual districts.
10. Funding should not be tied to mandated training of local Boards of Education.

In order to obtain substantial new state revenues for funding an appropriate education, the following considerations should have an impact on any proposal for school finance reform:

- a. A legitimate level and type of accountability will be needed.
- b. The physical plant needs of Illinois’ school districts should be addressed.
- c. Taxpayer equity and relief, including uniform tax assessment and procedures as well as tax relief for limited fixed income and disabled citizens, should be provided. (Adopted 1990; Amended 1996, 2008, 2014, 2016; Reaffirmed 2001, 2012)

2.40 Changes In School Accounting Practices

The Illinois Association of School Boards shall oppose legislation or rulemaking proposing cosmetic and costly changes in the school accounting practices or fiscal year, including but not limited to, mandatory accrual basis accounting, major program determination, depreciation allocation, and management’s discussion and analysis. (Adopted 1992; Amended 2003)

2.41 Tax Law And Assessment Practices

The Illinois Association of School Boards shall support legislation to create uniformity and equality in Illinois property tax laws regarding assessment practices. (Adopted 1993; Reaffirmed 2002)

2.42 Impact Fees For Residential Development

The Illinois Association of School Boards shall participate in the development and passage of statewide enabling legislation allowing local boards of education to impose residential development impact fees with the option of local municipal control through intergovernmental cooperation. (Adopted 1994; Reaffirmed 1996, 1998)

2.43 Bond And Interest Levy

The Illinois Association of School Boards shall attempt to have legislation passed that would permit a school district to increase the bond and interest levy to recover taxes lost from an adverse Property Tax Appeal Board Decision, that caused the district to expend operating funds to amortize debt. (Adopted 1994)

2.44 Local Taxes On School Districts

The Illinois Association of School Boards shall support legislation that would exempt public schools from all taxes imposed by state, federal, and units of local government. They shall not seek to deprive or deplete public schools of their funds. Each public school district shall be issued its own district's State and Federal Tax Exemption Identification Number for such exemption. It shall be the responsibility of the taxing body to notify the agency collecting the tax of its exemption and assure its implementation. (Adopted 1996; Reaffirmed 2001, 2008; Amended 2004)

2.45 Property Tax Rate Increases

The Illinois Association of School Boards shall support legislation that would require that new property tax rates levied immediately following successful passage of tax rate increases be used as the calculating rate and extended as required under the School Code (105 ILCS 5/17-3.2). (Adopted 2002)

2.46 Property Tax Cap Expiration

The Illinois Association of School Boards shall support a change in State law to create a four-year sunset on the implementation of the Property Tax Extension Limitation Law (PTELL) in each county in which PTELL has been enacted. The four-year sunset would also apply to the enactment of PTELL in any county approving PTELL after the effective date of the legislation. Any desire to extend PTELL beyond the four years would require the County Board to again place the question on the ballot and receive a positive majority of votes in the next general election. (Adopted 2004; Reaffirmed 2006, 2007)

2.47 Truth In Taxation

The Illinois Association of School Boards shall seek a modification in the Truth in Taxation Notice that reflects the natural economic appreciation effect of changes in property values when reporting the percentage increase or decrease over the previous year's tax levy. (Adopted 2006)

2.48 Sales Tax For School Districts

The Illinois Association of School Boards shall advocate that the General Assembly study and consider legislation allowing school districts access to additional forms of financial revenue, both state and local sources, including but not limited to, sales tax revenue. Further, any form of additional revenue for schools must provide that school districts determine the fund(s) in which to place the additional revenue. (Adopted 2006)

2.49 Abatements For Home Builders

The Illinois Association of School Boards shall support legislation to amend the Illinois Property Code (35 ILCS 200/18-165, et seq.) to enable Boards of Education to develop

criteria for awarding abatements of school property tax to individual homebuilders. Said legislation shall provide rural school boards that are struggling with declining enrollments and loss of assessed valuation with a tool to stimulate the growth of both tax base and population base of their districts. (Adopted 2008)

2.50 PTELL – Debt Service Extension Base

The Illinois Association of School Boards shall support legislation to modify the Debt Service Extension Base (DSEB) formula established by the Property Tax Extension Limitation Law (PTELL) to allow the limited number of school districts that do not have DSEB to have one established for them creating more equity among districts affected by the PTELL and equal opportunity in school funding. (Adopted 2011)

2.51 PTELL – No Penalty For Under Levy

The Illinois Association of School Boards shall support legislation (currently House Bill 1341) that allows school districts to levy an amount less than the Property Tax Extension Limitation Law (PTELL) formula would allow without penalty in future years. This would require that when a district "under" levies, that the full allowable extension amount be tracked and made accessible in future years. (Adopted 2012)

2.52 EAV Adjustments – Timely Notification

The Illinois Association of School Boards shall support legislation to require timely notification between county assessors of substantial adjustments to assessed values for a taxing district that has assessed property in multiple counties. (Adopted 2011)

2.53 Pension-Normal Cost Shift

The Illinois Association of School Boards recognizes that legislation to sensibly resolve Illinois' current pension crisis must be fully compliant with prevailing actuarial scientific standards in order to achieve fully-funded and sustainable pension funds. The Illinois Association of School Boards therefore shall not support a "cost-shift" to local districts as a true sensible solution to the pension burden. (Adopted 2013)

2.54 School Facility Occupation Tax

The Illinois Association of School Boards shall support an amendment to State Statute 55 ILCS 5/5-1006.7 School Facility Occupation Tax, to include the purpose to purchase or lease technology to aid instruction, education, or efficiency of the school district. (Adopted 2014)

2.55 Tax Increment Financing

The Illinois Association of School Boards shall support changes to the Tax Increment Financing statute to include the following: a municipality cannot reset a TIF district, which would extend the life of the TIF beyond the 23 years. (Adopted 2014; Reaffirmed 2016)

2.56 Energy Savings Funding And Borrowing

The Illinois Association of School Boards shall recommend to the legislature that a bill be passed that allows districts to borrow or otherwise obtain money without referendum for the sole and specific purpose of purchasing and installing energy saving equipment relating to the utility usage (water, gas and electricity). (Adopted 2018)

FINANCING PUBLIC EDUCATION – FEDERAL

2.57 State And Local Federal Tax Deduction

The Illinois Association of School Boards shall work with the National School Boards Association and other coalitions to defeat any legislation or regulation that would eliminate the federal income tax deduction for state and local taxes. (Adopted 1985)

2.58 E-Rate Discount Program

The Illinois Association of School Boards shall urge Congress and the Federal Communications Commission to continue to support discount programs, including but not limited to the “E-Rate” program created in the Telecommunications Act of 1996, to provide affordable Internet access, distance-learning, and other educational programs for school districts and libraries. (Adopted 1998)

FINANCING PUBLIC EDUCATION – OTHER

2.59 Non-Public School Funding

The Illinois Association of School Boards opposes payment of state funds directly or indirectly to non-public elementary and secondary schools. Specifically, the Association is opposed to the use of any form of “Educational Voucher”, “Tax Deduction” and “Tax Credit” plan at the state or national level. (Portions Adopted 1970, 1975, 1982; Amended 1988; Reaffirmed 2006, 2012)

2.60 Non-Public Student Reporting

The Illinois Association of School Boards shall support legislation to require that non-public schools receiving the benefit of public funds or services, submit to the Illinois State Board of Education an annual report including the names, ages, and addresses of all students enrolled in their schools. (Adopted 1980)

2.61 Transportation For Private School Students

The Illinois Association of School Boards shall pursue and support legislation amending 105 ILCS 5/29-4 of the Illinois Compiled Statutes (School Code) to require schools other

than public to conform to public school attendance dates and times as needed to minimize busing costs, or pay the additional costs as a result of scheduling differences in busing students attending those schools. (Adopted 1995)

2.62 Tax Exempt Bond Use

The Illinois Association of School Boards shall oppose any reduction by the Federal Government in the amount of tax exempt bonds which can be issued. In addition to this continuing opposition, IASB shall explore alternatives available should such limitation be forthcoming at the Federal level. This would include but not be limited to income tax credits for individuals, commercial bonds property casualty companies, etc., to provide incentives within the State of Illinois for the purchase of said bonds. (Adopted 1989)

2.63 Life Safety Fund Use

The Illinois Association of School Boards shall support legislation that allows the State Board of Education to approve the use of monies generated from the health/life safety tax levy or the sale of health/life safety bonds for building projects that, while not specifically listed as a State Board approved project, will directly result in the improved safety of the students and/or community. Specifically, such funds shall be eligible to cover the costs for the following purposes: 1) repair or replacement of property such as school sidewalks, driveways, parking lots, and playground equipment, in instances when a specific safety hazard is demonstrated by a licensed architect or engineer; 2) mandated alterations to facilities and school property pursuant to requirements of the Federal Americans with Disabilities Act; and 3) to provide air conditioning and climate control in the classrooms, and to provide for the lease and/or purchase of air-conditioning equipment under the tax for leasing (including lease purchase and installment purchase) of educational facilities. (Adopted 1989; Reaffirmed 1991; Amended 1993, 2006)

2.64 State And Federal Grant Carryover

The Illinois Association of School Boards shall encourage the state and federal governments to remove restrictions on grant programs which currently require local school districts to return grant fund balances back to the state. (Adopted 1991)

LEGISLATIVE ACTIVITY

3.01 Board Member Involvement

The Illinois Association of School Boards shall continue its legislative involvement and encourage increased legislative activity by local school board members at the district, division, and state levels while providing leadership in guiding those board members in their efforts to seek public support of legislation essential to good school government. (Portions Adopted 1974, 1981; Amended 1988; Reaffirmed 2006)

3.02 Candidate Support

The Illinois Association of School Boards shall actively encourage and assist school board members to effectively evaluate positions of legislative candidates relative to public education and to support those candidates who have demonstrated understanding and support for the principles of school management to ensure the best education for public school students in Illinois. (Adopted 1975; Reaffirmed 1986; Amended 2006)

3.03 Limited Bill Introductions

The Illinois Association of School Boards shall encourage the Illinois General Assembly to limit the quantity of legislation introduced in each two-year period to allow time for each bill to be researched, debated, and thoroughly investigated before action by the General Assembly. (Adopted 1987; Reaffirmed 2012)

3.04 General Assembly Rules

The Illinois Association of School Boards shall support changes in the operating procedures of the Illinois General Assembly which would promote maximum exchange of information between legislators and interested citizens and ensure enlightened debate on the merits of all proposed bills and take the action necessary to prevent legislation from being changed by amendments which are not germane to the original purpose of the bill, or establish a time limit for such amendments sufficient to avoid last minute changes in the final weeks of a legislative session. (Portions Adopted 1980, 1984; Amended 1988; Reaffirmed 2012)

3.05 Effective Date And State Board Rules And Regulations

The Illinois Association of School Boards shall encourage the Illinois General Assembly to allow a minimum of one-year lead time for implementation of any regulation or legislation increasing costs in public schools. Any such changes to existing educational programs should not be implemented until the final regulations have been adopted by the State Board of Education. (Adopted 1981; Amended 1993; Reaffirmed 2012)

3.06 Data Utilization

The Illinois Association of School Boards shall support legislation requiring the State Board of Education and the State Superintendent to base rules, regulations, and recommendations regarding legislation affecting public schools on empirical research, which shall be made available to the Illinois General Assembly and the interested public. (Adopted 1987)

3.07 Local Legislative Visits

The Illinois Association of School Boards shall support and encourage each local Board of Education throughout the State of Illinois to make a “good faith” effort to initiate, undertake, and make an in-person visit with their local legislators in order to discuss specific issues and proposed legislation affecting local school districts. Further resolve that conducting any such visits will be part of any Awards Program adopted by IASB that recognizes outstanding leadership and development activities by local Boards of Education. (Adopted 1995; Reaffirmed 2006)

3.08 Elected State Board Of Education

The Illinois Association of School Boards shall support legislation or other appropriate action requiring that the members of the Illinois State Board of Education be elected on a regional basis. (Adopted 2002)

3.09 Budget Stability For School Districts

The Illinois Association of School Boards shall support legislation requiring the Illinois General Assembly to determine the amount of funding for educational entitlements and General State Aid no later than March 31 (3 months prior to the start of the budget year) and enact a biennial budgetary cycle. Once the amount of funding for educational entitlements is determined, the General Assembly shall be required to vote on the funding in a stand-alone piece of legislation. (Adopted 2010; Reaffirmed 2011; Amended 2012, 2016)

BOARD OPERATIONS AND DUTIES

4.01 Attention Deficit Disorder

The Illinois Association of School Boards shall encourage the Illinois State Board of Education (ISBE) to continue to study Attention Deficit Hyperactivity Disorder and methods to accurately identify and meet the educational needs of children with this disorder. Further, IASB shall seek clarification of state policies and categories of special education to provide for consistency in special education placement and disseminate relevant information from the ISBE to local school districts. (Adopted 1992)

4.02 Self-Insure Risk

The Illinois Association of School Boards shall propose legislation which would allow school districts, by board resolution, to self-insure the risk previously covered by surety bonds. (Adopted 1993)

4.03 Board Member – Travel Reimbursement

The Illinois Association of School Boards shall support legislation which will allow members of Boards of Education to be reimbursed for mileage for school board meetings held in compliance with the Illinois Open Meetings Act and for events regarding school district staff. Mileage reimbursement would be paid at the federally allowable travel reimbursement rate. (Adopted 2008)

4.04 School Board Member Training

The Illinois Association of School Boards shall oppose any legislation that includes a provision for mandatory training of school board members. IASB encourages local boards of education to model continuous improvement by pursuing all professional development and training opportunities. IASB, with its unique combination of expertise and resources, is uniquely in the position to be the primary agency responsible for school board member training and professional development as recognized by Article 23 of the Illinois School code, and any such legislation requiring school board member training shall specifically list IASB as a training provider. (Adopted 2008; Amended 2012)

4.05 Statement Of Affairs

The Illinois Association of School Boards shall support legislation that allows a school district to publish any notice, agenda, record, or other information or material required by law electronically instead of in a newspaper. (Adopted 2016)

4.06 Business Enterprises – Minority Owned

The Illinois Association of School Boards shall support legislation amending sections of statute that regulate contracting out for services to allow school districts to consider any goals set to address social responsibility, including preferences for businesses owned by minorities, women, persons with disabilities, and veterans, in selecting companies to service contracts. (Adopted 2019)

BOARD – EMPLOYEE RELATIONS

5.01 Board Rights

The Illinois Association of School Boards supports local boards of education's rights to determine and control, as duly elected representatives of the community, the employment, dismissal, and staff reduction of certificated and non-certificated employees. To this end, the Association shall support statutory rules and regulations changes that will:

- a. Enable the initial placement of employees on the salary schedule without regard to years of experience or graduate credit;
- b. Allow for greater flexibility in staffing patterns to improve efficiency and effectiveness of programs;
- c. Maintain the tenure rights of teachers in cooperatives in a single district but not in multiple districts; and
- d. Allow school districts to take action on reductions in force up to sixty calendar days following the date elementary and secondary appropriations bills become law. (Portions adopted 1976, 1979, 1980, 1983, 1984, 1988; Amended 1988, 1996, 2006, 2012; Reaffirmed 1992, 2011)

5.02 Teacher Salaries (Length Of Contract)

The Illinois Association of School Boards believes that teacher salaries should be determined at the local level; if teacher salary increases are legislatively mandated, they should be linked to an increase in the length of the teacher contract year for purposes to be determined locally. (Adopted 1985; Reaffirmed 2012)

5.03 Collective Bargaining

The Illinois Association of School Boards shall strongly oppose legislation that diminishes the local school board's ability to collectively bargain with employees and shall encourage the General Assembly, the Illinois State Board of Education, and the State Superintendent to refrain from passing legislation that tips the balance of the bargaining process in favor of employee bargaining units. The Association shall continue to oppose any change in the collective bargaining law which fails to protect the rights of students, employees, taxpayers, and boards of education and their administrative staffs. (Adopted 1981; Amended 1985, 2001; Reaffirmed 2012)

5.04 Unemployment Compensation (Substitute Teachers)

The Illinois Association of School Boards shall support legislation which would exempt substitute teachers from being eligible for unemployment compensation. (Adopted 1986; Reaffirmed 2012)

5.05 Prevailing Wage Act

The Illinois Association of School Boards shall work to repeal legislation that regulates wages of laborers, mechanics, and other workers employed by school districts and those under contract for work being done in school districts, or amend the Prevailing Wage Act to exempt school districts from its scope. (Adopted 1978; Amended 1982, 1990, 2011; Reaffirmed 1985, 1988, 1996, 2009, 2012, 2013, 2016)

5.06 ESP Progressive Disciplinary Procedures

The Illinois Association of School Boards shall support legislation that allows local school boards to determine locally all contractual arrangements for education support personnel. (Adopted 1990)

5.07 Illinois Educational Labor Relations Act

The Illinois Association of School Boards shall support the proposed amendment to the Illinois Educational Labor Relations Act, Section 10, which provides that an employer's duty to bargain over specified matters does not include a duty to bargain over a decision to reduce the number of employees and the impact of a reduction of employees. (Adopted 1993; Reaffirmed 2012)

5.08 Workers' Compensation Law

The Illinois Association of School Boards shall actively support legislation to reduce the costs of Workers' Compensation. (Adopted 1993; Reaffirmed 2012)

5.09 IMRF Qualification

The Illinois Association of School Boards shall support legislation that would amend the Illinois Municipal Retirement Fund (IMRF) laws for non-certified school staff to change, at each local district's option, the number of minimum hours an employee would work to qualify for IMRF from the current 600-hour standard to a 1,000-hour standard. This change would only be for new employees after the effective date of the legislation. (Adopted 1994)

5.10 Tenure Repeal

The Illinois Association of School Boards shall seek reform of the School Code to eliminate contractual continued service for teachers as currently provided by 105 ILCS 5/24-11. (Adopted 1995; Reaffirmed 2012)

5.11 School Employee Strikes

The Illinois Association of School Boards shall strongly seek and support legislation forbidding public school employees from striking. The Association shall also work with legislators, the Illinois State Board of Education, and the teachers' unions to develop alternatives to striking, including mediation and binding arbitration. (Adopted 1996; Amended 2009; Reaffirmed 2012)

5.12 Third Party Contracting

The Illinois Association of School Boards shall strongly oppose legislation or rulemaking that regulates and restricts the ability of school boards to contract with third parties for the provision of non-instructional services. The Illinois Association of School Boards shall seek to repeal or amend the provisions of the School Code which unreasonably restrict the ability of school boards to enter into contracts with third parties for the provision of non-instruction services. (Adopted 2012)

5.13 School District Police Force

The Illinois Association of School Boards shall support legislation that would allow any school district who previously established a professional police force to re-establish a police force with all the duties and responsibilities of local law enforcement agencies. (Adopted 2019)

5.14 Background Checks-Substitute Teachers

The Illinois Association of School Boards shall support and encourage legislation that will develop a centralized process for Regional Superintendent Offices to submit certification results for each other to use in the hiring process for substitute teachers in their respective region. (Adopted 2019)

LOCAL – STATE – FEDERAL RELATIONS

6.01 Local Control

The Illinois Association of School Boards shall take all appropriate action to encourage members of the U.S. Congress, the Illinois General Assembly, related administrative agencies, and state and federal courts to refrain from introducing, supporting or promulgating rules, regulations, and legislation which deprive local school districts of decision-making powers on matters in which there is not a clear and compelling state or national interest. In the event any such rule, regulation, or legislation is promulgated or adopted, the Association shall take all appropriate actions calling for amendment (s) to return the decision making powers back to the local school district. (Adopted 1976; Amended 2014; Reaffirmed 2006, 2012, 2014, 2016)

6.02 Periodic Review Of State And Federal Mandates

The Illinois Association of School Boards shall support at the state and national level periodic review of all mandates, rules, and regulations affecting local districts. Such mandates, rules, and regulations should be broad in scope providing great flexibility in implementation, eased or reduced during periods when state supporting funds are unavailable or reduced, and eliminated if not of benefit to educational opportunities and outcomes. (Adopted 1981; Reaffirmed 1985; Amended 1988)

6.03 Educational Labor Relations Board Procedures

The Illinois Association of School Boards shall work with the Illinois Educational Labor Relations Board to increase its sensitivity to the need for timely decisions and establish criteria to identify matters in need of expedited attention. Further, the Association shall utilize the legislative process to remove statutory barriers to timely and expedited decisions and support legislation to enhance the decision making process. (Adopted 1989)

6.04 State Board Communication

The Illinois Association of School Boards shall continue to work with the Illinois State Board of Education to provide opportunities throughout the state each fiscal year to render local boards of education the time to express their concerns as well as to discuss their position on various pertinent educational issues. (Adopted 1982; Amended 1988)

6.05 State Board Of Education Membership

The Illinois Association of School Boards shall participate in the development of legislation amending Section 105 ILCS 5/1A with a goal of insuring fair representation on the State Board of Education from all geographic areas of Illinois. (Adopted 1999)

6.06 Zoning Hearing Participation

The Illinois Association of School Boards supports requiring planning commissions, zoning boards, and the governing bodies of the jurisdiction in which real estate developments or zoning changes are proposed to notify the school district affected about such proposals and hearings about them and, if any, about the effect of the proposed changes and developments before completing any action to approve or adopt such a change or development. (Adopted 1973; Reaffirmed 2006)

6.07 Railroad Crossings

The Illinois Association of School Boards urges the Illinois General Assembly, the Congress of the United States, state and federal commerce commissions, and railroad industries to continue working toward the installation of adequate warning devices at all railroad crossings maintained for public use in Illinois. (Adopted 1976; Reaffirmed 2006)

6.08 ISBE Rules And Regulations Review

The Illinois Association of School Boards shall encourage the Illinois State Board of Education to include school board members, administrators, and other practitioners on committees to review proposed rules and regulations. (Adopted 1990)

6.09 Students On Public Aid

The Illinois Association of School Boards shall seek and support legislation to mandate that students of families receiving State/Federal financial assistance (e.g. welfare, AFDC) maintain “regular” attendance as a stipulation for receipt of same. (Adopted 1995)

6.10 School Holidays-Local Option

The Illinois Association of School Boards shall support legislation that would allow local school districts the authority to decide whether to observe legal holidays as a day of non-attendance for students. (Adopted 1996)

6.11 Home Schooling Policy

The Illinois Association of School Boards shall support legislation to enact appropriate laws and policies to demonstrate that the education received by home-taught students is of sufficient quality to ensure appropriate transfer to schools that have current certification and recognition status from the Illinois State Board of Education. (Adopted 1996; Amended 1998; Reaffirmed 2000)

6.12 Design Profession Selection

The Illinois Association of School Boards shall support legislation in the Illinois General Assembly amending or repealing the Local Government Professional Services Selection Act, or any other applicable laws, rules, or regulations, to the extent necessary to permit Illinois school boards to solicit, and to permit licensed architects, engineers, and land surveyors to submit cost proposals for these professional services as part of a school board’s design professional selection process. (Adopted 1997)

6.13 Support Services To Private Schools

The Illinois Association of School Boards shall support modifications in the Illinois Intergovernmental Agreement Act to allow public school districts to work together in a time and cost efficient manner to provide support services to private schools as required by the U.S. Supreme Court rendered in the case of *Agostini v. Felton*, 65 U.S.L.W. 4526. (U.S. June 23, 1997). (Adopted 1997)

6.14 Statutory Job Descriptions

The Illinois Association of School Boards shall oppose legislation which allows job descriptions for employees of school district to be placed into state law. (Adopted 1997)

6.15 Administrative Caps

The Illinois Association of School Boards shall not support recent Illinois State legislation concerning Administrative Caps and Superintendent's Contracts as this legislation takes away local control from duly elected Boards of Education. Be it further resolved that IASB calls for the repeal of these provisions of PA 90-548 so that these provisions are again placed in the hands of local school boards. (Adopted 1998)

6.16 Bilingual Education

The Illinois Association of School Boards shall promote legislative action calling for the Illinois State Board of Education, the U.S. Department of Education and school districts to study the alignment of, and full financial support of, the implementation of second language, native language, and bilingual education programs. (Adopted 2004)

6.17 Fair Labor Standards Act

The Illinois Association of School Boards shall support legislation at both the Federal and State levels to exempt school district employees from overtime and salary regulations as described in the Fair Labor Standards Act. (Adopted 2005)

6.18 Constitutional Convention Support

The Illinois Association of School Boards shall actively participate in promoting a Constitutional Convention for the State of Illinois when the question is submitted to the voters in 2008 (or earlier, if submitted before) and shall begin planning strategy and marshalling resources for the promotion of a vote in favor of conducting the Constitutional Convention. (Adopted 2005; Reaffirmed 2006, 2007)

6.19 Bidding Contracts-Local Bidders

The Illinois Association of School Boards shall support legislation that allows the local Board of Education to award a contract, under certain circumstances, to a qualified bidder that may not be the lowest responsible bidder. The bid must not be more than 2% over the lowest responsible bid and the bidder must be considered a local contractor by the local Board of Education. (Adopted 2006)

6.20 Freedom Of Information Act Changes

The Illinois Association of School Boards shall support legislation to modify the Freedom of Information Act (FOIA) to facilitate school districts' compliance with the Act and to remove unnecessary burdens on units of local government. The legislative changes should:

- Increase allowable FOIA response time from five business days to 10 business days
- Exclude official school breaks in business day response time
- Allow denials for commercial purposes
- Allow denials for any request that is unduly burdensome
- Clarify language that would allow a request to be denied if it is unduly burdensome to the public body if the public body deems compliance with the request would result in excessive response costs
- Allow the imposition of reasonable fees regardless of the number of pages being provided
- Remove the balancing test between the public's interest and the employee's right to privacy in the privacy exception
- Expand the evaluation exemption to cover all school employees
- Exempt employment applications to protect the privacy of individuals that apply for high profile employment positions
- Delete provisions requiring public bodies to write a virtual legal opinion as to why they are claiming an exemption
- Delete provisions requiring public bodies to prepare a virtual legal pleading before being challenged for a denial
- Limit public bodies' liability by limiting a court's inquiry to violations of FOIA and not the content of information provided
- Force the Public Access Counselor to defend its decisions before a court of law if a public body is sued
- Allow public bodies to seek review of a binding opinion of the Public Access Counselor in the county in which they are located rather than just Sangamon or Cook Counties. (Adopted 2010)

6.21 Homeless Student Transportation

The Illinois Association of School Boards shall support legislation conforming Illinois law with federal law, specifically related to 105 ILCS 45 and the requirement for school districts to transport homeless students beyond district boundaries. (Adopted 2012)

6.22 Mandate Cost And Periodic Review

The Illinois Association of School Boards shall support modifications to the Illinois State Mandates Act (30 ILCS 805) that will strengthen the ability of the Illinois State Board of Education (ISBE) to accurately and sufficiently provide timely information on the costs of mandates including input from local elected boards of education. In addition, the mandates report required for other local governments shall be required of ISBE to provide timely, updated information on the impact of new mandates as they are enacted. (Adopted 2013; Reaffirmed 2014)

6.23 PARCC Testing Results

The Illinois Association of School Boards shall petition the Illinois State Board of Education to fairly report discrepancies in the scoring of state required standardized testing: 1) between paper and pencil versus electronic results AND 2) within the electronic testing method. Further, that such discrepancies will be made public so that schools may provide said information to parents and media when the testing results are reported as required under state law. (Adopted 2017)

6.24 School Safety — Traffic Zones

The Illinois Association of School Boards shall urge adoption of legislation that urges increased traffic-calming measures in front of all schools that could include but not be limited to:

1. Reduced speed limits to 20 mph or less within one block of the school from any direction on all federally designated municipal routes or Illinois Department of Transportation designated local roads
2. Enhanced speed limit signs to increase motorist awareness
3. Increased police enforcement of school zones, where feasible for local law enforcement agencies
4. Other traffic-calming measures that mitigate speeds and cut-through traffic in neighborhoods (eg. striping, islands, speed bumps, etc.)
5. Removing the designation “during school hours when children are present” from traffic signs or implementing other warning systems to accommodate after-school activities and use of facilities (eg. playgrounds)

(Adopted 2019)

DISTRICT ORGANIZATION AND ELECTIONS

7.01 District Reorganization

The Illinois Association of School Boards favors school district reorganization and consolidation intended to facilitate educational improvement rather than changes in district organization based only on enrollment or geographical location. Further, IASB shall oppose any future attempts by the Legislature, Governor, and/or State Board of Education to mandate, by statute or rules and regulations, the reorganization and consolidation of school districts. Reorganization and consolidation studies should be initiated by local citizens. In addition, IASB shall oppose legislation containing financial incentives based solely on district size or organizational pattern intended to force school district consolidation or reorganization. (Adopted 1962; Amended 1985; Reaffirmed 2006)

7.02 School District Reorganization Voting Requirements

The Illinois Association of School Boards shall seek, encourage, and support efforts for school district reorganization – in all forms – to include a requirement that before such reorganization is deemed passed, a majority vote of voters in each of the affected districts is necessary. (Adopted 1987; Amended 1988, 2006)

7.03 Annexing District Requirements

The Illinois Association of School Boards shall seek an amendment to Article 7 of The School Code providing that neither a petition initiated by the citizens of one school district nor a petition initiated by a local school board of education seeking to annex their entire school district or a portion of the school district above and beyond one (1) home to another should be permitted without the affirmative vote of the citizens of each of the school districts affected. Specifically, 105 ILCS 5/7-1 and 7-2 shall be amended to include the following language: “When a petition is initiated by two-thirds (2/3) of the registered voters in one school district seeking to annex said district in its entirety to another school district or school districts and the board of education of such receiving school district or school districts has not adopted a resolution agreeing to such annexation, such annexation, if approved by the regional board of school trustees, shall not become effective until it is approved in an election called for the purpose of voting on the question of the voters in each school district affected.” (Adopted 1988; Amended 1996, 2006; Reaffirmed 2000)

7.04 Detachment From Unit District

The Illinois Association of School Boards shall oppose any efforts to amend the Illinois School Code to allow for less restrictive procedures for school districts to detach and form a new district. (Adopted 2005; Amended 2006)

7.05 Public Question Voting Dates

The Illinois Association of School Boards shall support legislation to repeal the statute in the Election Code, amended by Public Act 84-739, which became effective January 1, 1986, which restricts school districts from placing a public question on the ballot other than when voters are scheduled to cast votes for any candidates for nomination for, election to, or retention in public office. (Adopted 1986)

7.06 School Ballot Format

The Illinois Association of School Boards shall urge the State Legislature to review and revise the school ballot formats as established in section 9-12 of the School Code to more clearly identify for whom the voter is casting a ballot. (Adopted 2001)

7.07 Election Schedules

The Illinois Association of School Boards shall continue to support the non-partisan election of school board members at a non-partisan election. (Adopted 2003; Amended 2006)

7.08 Polling Places In Schools

The Illinois Association of School Boards shall support legislation that amends the Election Code to allow a school district to refuse to be used as a polling place during elections for student safety reasons. If a school building is used as a polling place, the safety of the children and staff should not be compromised, and voters must be physically separated from students when the school is in session. (Adopted 2007; Amended 2009)

7.09 School As Polling Place Reimbursement

The Illinois Association of School Boards shall support legislation that amends the Election Code and the School Code to mandate that the appropriate officer or board having responsibility for providing a polling place for the election reimburse the school district for any costs, included cost of security to ensure student safety, in acting as a polling place which estimated costs shall be provided to the appropriate officer or board in advance of any decision to use a particular public building in order to ensure the efficient use of public resources. (Adopted 2017)

7.10 Board Vacancy Filings

The Illinois Association of School Boards shall support legislation to increase the timeline to fill a school board vacancy from 45 days to 60 days to allow school boards more time to fill such vacancies. (Adopted 2014)

7.11 School Board Elections – Seating New Members

The Illinois Association of School Boards shall support legislation allowing newly elected candidates, who have been elected uncontested, to be sworn in or affirmed at the next regularly scheduled board meeting or special meeting, held at least 14 days after the Consolidated Election. (Adopted 2019)

7.12 School Board Elections – Terms

The Illinois Association of School Boards shall support legislation that all school districts having a population of not more than 500,000 shall serve four-year terms and be seated at the first board meeting held at least 14 days following the school board election. (Adopted 2019)

CURRENT IASB BELIEF STATEMENTS

1. **The Illinois Association of School Boards believes** in improving the image of school boards and public education at the state and national levels
2. **The Illinois Association of School Boards believes** school administrations and faculties should be composed of persons supporting the principles of constitutional government because schools should continue with vigor their programs for giving young citizens a clear understanding of the principles of the American way of life and a desire to make these principles prevail in their own lives and in the life of their country. Further, the Association believes in the value of student non-partisan civic responsibility, including the importance of student voter registration.
3. **The Illinois Association of School Boards believes** that local boards of education should provide the necessary leadership for educational reform by sharing information and resources and collaborating with each other and the larger educational community.
4. **The Illinois Association of School Boards believes** that a comprehensive restructuring is needed in the way public schools are funded in Illinois and that IASB should be an active partner in responsible grassroots initiatives for school funding reform.
5. **The Illinois Association of School Boards believes** that schools should provide a safe and secure environment for all students. School board members and staff should try to protect students from the effects of bullying and offer appropriate instruction to improve intergroup relations and to promote peaceful resolution to conflict.
6. **The Illinois Association of School Boards believes** strongly in the non-partisan election of local school boards.
7. **The Illinois Association of School Boards supports** teacher salaries which are performance-based, market-sensitive, professionally competitive, and which are tied to an effective evaluation system.
8. **The Illinois Association of School Boards believes** in the vigorous support and the rigid enforcement of the laws pertaining to the sale, possession, and/or use of firearms.
9. **The Illinois Association of School Boards believes** that local boards of education should be prepared for possible public health crises (such as an Avian Flu pandemic) and other public safety concerns. IASB should obtain the most recent and accurate information from the pertinent federal, state, and local agencies and disseminate such information to school districts throughout the State. School districts are encouraged to adopt proactive pandemic preparedness strategies. IASB also encourages school participation in the National Fire Protection Association's campaign for fire escape planning and practice among our member families and citizens.
10. **The Illinois Association of School Boards urges** local boards of education to provide education programs on awareness of the advantages of wearing bicycle helmets when riding bicycles.
11. **The Illinois Association of School Boards urges** its member districts to limit career exploration activities to non-school attendance days or to school-run career days. In addition, the Association believes Take-Your-Daughter-to-Work Day should be designated for a non-attendance day and should also consider working to make this day non-gender specific.
12. **The Illinois Association of School Boards believes** that the overall health of our students is of prime importance. Local boards of education and school district officials should have the authority and flexibility to access State and community health services as deemed appropriate. To that end, IASB: urges school districts to comply with the required notification provisions regarding vision screening for students, recommends that parents provide for regular and on-going comprehensive vision examinations for their children, and encourages school districts to consider adopting a policy requiring optometric vision examinations for all children entering kindergarten.
13. **The Illinois Association of School Boards believes** that the work of locally elected, volunteer school board members should be valued and that employers should be encouraged to allow employees to utilize vacation days or days off with pay to attend mandated school board member training and professional development opportunities offered by IASB or other approved training providers.
14. **The Illinois Association of School Boards believes** that effective local school board governance is vital to the success of our public schools and urges local boards of education to abide by IASB's Foundational Principles of Effective Governance, avoid real or perceived incidents of impropriety, and adopt policies or procedures to ensure that board members and elected board officers have no conflicts of interest.
15. **The Illinois Association of School Boards believes** school boards should employ competitive bidding practices for upgrades in technology and energy savings and should also provide energy savings contracting model policy and training opportunities for school districts.
16. **The Illinois Association of School Boards believes** that schools should provide a safe and secure environment for all students and staff. Decisions of school safety drills, plans, and procedures should be made at the local level, utilizing evidence-based practices that maximize resources and effectiveness, and by soliciting input from local emergency responders resulting in fewer physical, emotional, and psychological risks to students and staff.

Inspire every child to



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

Regular Board Meeting Agenda
Thursday, December 10, 2020

VIRTUAL MEETING

*Alternate Remote Attendance Location: Lincoln School - LRC
200 South Lincoln Avenue, Park Ridge, IL 60068*

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.

7:00 p.m. Meeting of the Board Convenes

- Roll Call

Pledge of Allegiance

Opening Remarks from President of the Board

Public Comments

Each speaker is given 3 minutes to address the Board. Comments may be made on almost any matter related to the operation of schools. Each person appearing before the Board will be treated with courtesy and respect, and the Board requests the same in return. In light of the privacy of personnel and student matters, commenters are strongly discouraged from speaking about individual staff or students during public comment. Commenters are instead encouraged to first raise such concerns privately with the Board President or Administration. The Board, however, recognizes each commenter's First Amendment rights; thus, it will not prohibit commenters from speaking about individual staff or students, subject to well-recognized exceptions under the First Amendment, such as obscenity, threats, fighting words, or incitements to violence.

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 Student/Staff Recognition

- Emerson & Lincoln Students Selected for 2020 Virtual ILMEA Festival

A-3 2019-20 Student Achievement Update & Presentation of Illinois School Report Card

--Assistant Superintendent for Student Learning

A-4 Summer Interim Session 2020 Report & Presentation & Approval of Summer Interim Session 2021

--Assistant Superintendent for Student Learning **Action Item 20-12-1**

A-5 Adoption of Final 2020 Tax Levy Resolution #1254, Resolution #1255 to Instruct the County Clerk How to Apportion 2020 Tax Levy Extension Reductions, Resolution #1256 Authorizing Tax for Illinois Municipal Retirement Purposes, and Resolution #1257 Abating Loss in Collection Factor in the Debt Service Fund
--Chief School Business Official **Action Item 20-12-2**

A-6 Resolutions to Transfer Funds
--Chief School Business Official **Action Item 20-12-3**

A-7 Presentation of Annual Audit Report FY20
--Chief School Business Official

A-8 Approval of Recommended Personnel Report
--Board President **Action Item 20-12-4**

A-9 Consent Agenda
--Board President **Action Item 20-12-5**

- Bills, Payroll, and Benefits
- Approval of Financial Update for the Period Ending October 31, 2020
- Adoption of 2021-22 School Year Calendar
- Destruction of Audio Closed Recordings (None)

A-10 Approval of Minutes
--Board President **Action Item 20-12-6**

- November 12, 2020 - Regular Meeting

A-11 Other Discussion and Items of Information
--Superintendent

- Upcoming Agenda
- FOIA requests
- Memorandum of Information (None)
- Minutes of Board Committees (None)
- Other:
 - IASB 2020 Virtual Summit

A-12 New Business
Adjournment

Next Meeting: **Thursday, January 14, 2021**
Regular Meeting - 7:00 p.m. **Virtual**
Alternate Remote Attendance Location: Jefferson School - Multipurpose Room
8200 Greendale Ave, 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.



Natasha Nedeljkovic <nnedeljkovic@d64.org>

Fwd: Freedom of Information Act Request

Lea Anne Frost <lfrost@d64.org>
To: Eric Olson <eolson@d64.org>, Natasha Nedeljkovic <nnedeljkovic@d64.org>

Fri, Oct 2, 2020 at 4:43 PM

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

From: **Robert Degre** <robertdegre@theadac.com>
Date: Fri, Oct 2, 2020 at 4:31 PM
Subject: Freedom of Information Act Request
To: Tom Olson <tomolson@theadac.com>, Steve Perla <steveperla@theadac.com>

To whom it may concern,

In accord with the Illinois Freedom of Information Act, I am requesting the following data from the past five school-years (school-year 2015-2016 through school year 2019-2020):

1. How many public school students have IEPs?
2. How many charter school students have IEPs?
3. How many homeschooled students have IEP/ISPs?
4. How many parentally-placed private school students have been referred for testing under the requirements of the Individuals with Disabilities Education Act's (IDEA) child find procedures?
5. How many parentally-placed private school students have been identified through child-find to need special education and/or related services?
6. How many parentally-placed private school students have an IEP/ISP?
7. Is your district's child-find referral process in writing? If it is, then how/where might I access that information?
8. What is your district's total IDEA Part B allocation?
9. What is your district's total IDEA (Section 619) allocation?
10. How many parentally-placed private school students have received IDEA-funded services?
11. Which IDEA-funded services have been provided to parentally-placed private school students?
12. If IDEA-funded services have been provided to parentally-placed private school students, then what has been/is the location of those services?

I have copied on this email ADAC's Principal Partners Tom Olson and Steve Perla.

If you have any questions, then please be in touch by replying "all" to this email.

Sincerely,
Robert Degre
Director of Research & Administration
781-414-6325
robertdegre@theadac.com
www.theadac.com



October12, 2020

TO: Natasha Nedeljkovic, Administrative Assistant to the Superintendent

RE FOIA Request

Dear Ms. Nedeljkovic:

With the hope of helping figure out a solution to reopen our schools safely and as soon as possible, I am requesting the following items, on behalf of Park Ridge concerned parents, as they pertain to keeping our schools closed to the majority of children. I look forward to receiving these items within the 5 business days allotted for you to gather the information.

- 1) A list of specific laws or rules or mandates that your district must abide by that pertain to:
 - a) Space required between teacher and students
 - b) Space required between students
 - c) The use of plexiglass or other dividers between students or students and teachers.
 - d) The amount of cleaning that must be completed and at what time periods and by whom (if there are specific qualifications required)
 - e) Any other safety requirements necessary to reopen: taking temperatures, self-certification waivers / questionnaires, etc.
- 2) A list of specific guidelines that your district must follow by Board directives or by-laws as they pertain to points a-e listed in #1.
- 3) A copy of the current BOARD OF EDUCATION OF COMMUNITY CONSOLIDATED SCHOOL DISTRICT 64 COOK COUNTY, ILLINOIS and THE PARK RIDGE EDUCATION ASSOCIATION, as well as any other "teachers union contracts" with all pertinent information highlighted that relates to:
 - a) Teachers being allowed to choose to work from home and not return to school
 - i) Paid or
 - ii) Unpaid
 - b) Any clause related to sick days, disability or leave of absence
 - c) Teachers being asked to teach via electronic means in any circumstances
 - d) Maximum or minimum number of substitute teachers allowed to teach at any given time
 - e) Any other information in the contract(s) as it may relate to hindering the school opening up full time
- 4) A copy of any other union contacts (such as Teacher Assistants, Custodial, etc.) with highlighted information that pertains to preventing our schools from opening up full time.
- 5) All information as it pertains to our district's /individual schools' ability to livestream classes (from the back of the room or other recording device, other than a teacher's computer) for students choosing to learn from home.

- 6) All information as it relates to any and all rooms that can be used for teaching a class, including size, technology available in the room, limitation of the room
- 7) All information as it relates to number of staff or extra personnel needed to comply with any requirements listed in #1 and #2 above
- 8) A list of any law, rule, or mandate that requires you to shut down the school, should anybody test positive for Covid.
- 9) A list of specific guidelines that your district must follow by Board directives or by-laws that requires you to shut down the school, should anybody test positive for Covid, and for how long, if required.
- 10) Any county, state, federal or private funds received for Covid-19 related needs: PPE, additional staff, cleaning supplies, new or revised curriculum supplies, etc.
- 11) A list of additional funds needed to staff and clean the schools according to the legally required mandates in place at the county, state or federal level. Please include line item budget of these items.

Thank you for your prompt attention to this request. We look forward to analyzing the information and hopefully being able to generate new solutions that satisfy regulatory mandates, comply with established contracts between parties, and get our children back in school safely.

Kind regards during these chaotic times,

Krista L. Ward

Krista L. Ward, concerned parent
[REDACTED]

cc: Luann Kolstad, Chief School Business Official
Dr. Lea Anne Frost, Director of Student Services