

Leyden Community High School District 212

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Leyden CHSD 212

SECTION 1 - SCHOOL DISTRICT ORGANIZATION

Leyden CHSD 212

1:10 School District Legal Status

The Illinois Constitution requires the State to provide for an efficient system of high-quality public educational institutions and services in order to achieve the educational development of all persons to the limits of their capabilities.

The General Assembly has implemented this mandate through the creation of school districts. The District is governed by the laws for school districts serving a resident population of not fewer than 1,000 and not more than 500,000.

The Board of Education constitutes a body corporate that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

LEGAL REF.:

Ill. Constitution, Art. X, Sec. 1.

105 ILCS 5/10-1 et seq.

CROSS REF.: 2:10 (School District Governance), 2:20 (Powers and Duties of the Board of Education; Indemnification)

Adopted: September 16, 2021

Leyden CHSD 212

1:20 District Organization, Operations, and Cooperative Agreements

The District is organized and operates as a High School District serving the needs of children in grades 9 through 12 and others as required by the School Code.

The District enters into and participates in joint programs and intergovernmental agreements with units of local government and other school districts in order to jointly provide services and activities in a manner that will increase flexibility, scope of service opportunities, cost reductions, and/or otherwise benefit the District and the community. The Superintendent shall manage these activities to the extent the program or agreement requires the District's participation, and shall provide periodic implementation or operational data and/or reports to the Board concerning these programs and agreements.

LEGAL REF.:

Ill. Constitution, Art. VII, Sec. 10.

5 ILCS 220/, Intergovernmental Cooperation Act.

CROSS REF.: 4:180 (Pandemic Preparedness)

Adopted: September 16, 2021

Leyden CHSD 212

1:30 School District Philosophy

Leyden High Schools Mission Statement

Educate - Enrich - Empower

Students and Communities

Leyden High Schools Vision Statement

Doing What's Best for the Kids

CROSS REF: 2:10 (School District Governance), 3:10 (Goals and Objectives), 6:10 (Educational Philosophy and Objectives)

Adopted: September 16, 2021

Leyden CHSD 212

SECTION 2 - BOARD OF EDUCATION

Leyden CHSD 212

2:10 School District Governance

The District is governed by a Board of Education consisting of seven members. The Board's powers and duties include the authority to adopt, enforce, and monitor all policies for the management and governance of the District's schools.

Official action by the Board of Education may only occur at a duly called and legally conducted meeting. Except as otherwise provided by the Open Meetings Act, a quorum must be physically present at the meeting.

As stated in the Board member oath of office prescribed by the School Code, a Board member has no legal authority as an individual.

LEGAL REF.:

5 ILCS 120/, Open Meetings Act.

105 ILCS 5/10-1, 5/10-10, 5/10-12, 5/10-16.5, 5/10-16.7, and 5/10-20.5.

CROSS REF.: 1:10 (School District Legal Status), 2:20 (Powers and Duties of the Board of Education; Indemnification), 2:80 (Board Member Oath and Conduct), 2:120 (Board Member Development), 2:200 (Types of Board of Education Meetings), 2:220 (Board of Education Meeting Procedure)

Adopted: September 16, 2021

Leyden CHSD 212

2:20 Powers and Duties of the Board of Education; Indemnification

The major powers and duties of the Board of Education include, but are not limited to:

1. Organizing the Board after each consolidated election by electing officers and establishing its regular meeting schedule and, thereafter, taking action during lawfully called meetings to faithfully fulfill the Board's responsibilities in accordance with State and federal law.
2. Formulating, adopting, and modifying Board policies, at its sole discretion, subject only to mandatory collective bargaining agreements and State and federal law.
3. Employing a Superintendent and other personnel, making employment decisions, dismissing personnel, including determining whether an employee has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by 325 ILCS 5/, and establishing an equal employment opportunity policy that prohibits unlawful discrimination.
4. Directing, through policy, the Superintendent, in his or her charge of the District's administration.
5. Approving the annual budget, tax levies, major expenditures, payment of obligations, annual audit, and other aspects of the District's financial operation; and making available a statement of financial affairs as provided in State law.
6. Entering contracts using the public bidding procedure when required.
7. Providing, constructing, controlling, and maintaining adequate physical facilities; making school buildings available for use as civil defense shelters; and establishing a resource conservation policy.
8. Establishing an equal educational opportunities policy that prohibits unlawful discrimination.
9. Approving the curriculum, textbooks, and educational services.
10. Evaluating the educational program and approving School Improvement and District Improvement Plans.
11. Presenting the District report card and School report card(s) to parents/guardians and the community; these documents report District, School and student performance.
12. Establishing and supporting student behavior policies designed to maintain an environment conducive to learning, including deciding individual student suspension or expulsion cases brought before it.
13. Establishing attendance units within the District and assigning students to the schools.
14. Establishing the school year.
15. Requiring a moment of silence to recognize veterans during any type of school event held at a District school on November 11.
16. Providing student transportation services pursuant to State law.
17. Entering into joint agreements with other boards to establish cooperative educational programs or provide educational facilities.
18. Complying with requirements in the Abused and Neglected Child Reporting Act (ANCRA). Specifically, each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.
19. Notifying the State Superintendent of Education promptly and in writing of the name of a licensed teacher who was convicted of a felony, along with the conviction and the name and location of the court where the conviction occurred.
20. Notifying the Teachers' Retirement System (TRS) of the State of Ill. Board of Trustees promptly and in writing when it learns that a teacher as defined in the Ill. Pension Code was convicted of a felony, along with the name and location of the court where the conviction occurred, and the case number assigned by that court to the conviction.

21. Communicating the schools' activities and operations to the community and representing the needs and desires of the community in educational matters.

Indemnification

To the extent allowed by law, the Board shall defend, indemnify, and hold harmless Board members, employees, volunteer personnel (pursuant to 105 ILCS 5/10-22.34, 10-22.34a and 10-22.34b), mentors of certified staff (pursuant to 105 ILCS 5/2-3.53a, 2-3.53b, and 105 ILCS 5/21A-5 et seq.), and student teachers who, in the course of discharging their official duties imposed or authorized by law, are sued as parties in a legal proceeding. Nothing herein, however, shall be construed as obligating the Board to defend, indemnify, or hold harmless any person who engages in criminal activity, official misconduct, fraud, intentional or willful and wanton misconduct, or acts beyond the authority properly vested in the individual.

LEGAL REF.:

105 ILCS 5/10, 5/17-1, 5/21B-85, and 5/27-1.

115 ILCS 5/, III. Educational Labor Relations Act.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

CROSS REF.: 1:10 (School District Legal Status), 1:20 (District Organization, Operations, and Cooperative Agreements), 2:10 (School District Governance), 2:80 (Board Member Oath and Conduct), 2:140 (Communications To and From the Board), 2:210 (Organizational Board of Education Meeting), 2:240 (Board Policy Development), 4:60 (Purchases and Contracts), 4:70 (Resource Conservation), 4:100 (Insurance Management), 4:110 (Transportation), 4:150 (Facility Management and Building Programs), 4:165 (Awareness and Prevention of Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:290 (Employment Termination and Suspensions), 6:10 (Educational Philosophy and Objectives), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

Adopted: January 20, 2022

Leyden CHSD 212

2:30 School District Elections

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

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

The Board Secretary serves as the local election official. He or she receives petitions for the submission of a public question to referenda and forwards them to the proper election officer.

LEGAL REF.:

10 ILCS 5/1-3, 5/2A, 5/9, 5/10-9, 5/22-17, 5/22-18, and 5/28.

105 ILCS 5/9.

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

Adopted: September 16, 2021

Leyden CHSD 212

2:40 Board Member Qualifications

A Board of Education member must be, on the date of election or appointment, a United States citizen, at least 18 years of age, a resident of Illinois and the District for at least one year immediately preceding the election, and a registered voter. Reasons making an individual ineligible for Board membership include holding an incompatible office and certain types of State or federal employment. A child sex offender, as defined in State law, is ineligible for Board membership

A Board of Education member must also have filed an economic interest statement as required by the Illinois Governmental Ethics Act.

The Board may annually appoint a student member from each school to serve in an advisory capacity. The student members will not have any voting privileges, may not attend executive sessions of the Board, and cannot be counted for purposes of determining a quorum.

LEGAL REF.:

Ill. Constitution, Art. 2, ¶ 1; Art. 4, ¶ 2(e); Art. 6, ¶ 13(b).

105 ILCS 5/10-3 and 5/10-10.

CROSS REF.:2:30 (Board of Education Elections), 2:70 (Vacancies on the Board of Education-Filling Vacancies)

Adopted: April 25, 2019

Leyden CHSD 212

2:50 Board Member Term of Office

The term of office for a Board of Education member begins immediately after both of the following occur:

1. The election authority canvasses the votes and declares the winner(s); this occurs within 21 days after the consolidated election held on the first Tuesday in April in odd-numbered years.
2. The successful candidate takes the oath of office as provided in Board policy 2:80, *Board Member Oath and Conduct*.

The term ends 4 years later when the successor assumes office.

LEGAL REF.:

10 ILCS 5/2A-1.1, 5/22-17, and 5/22-18.

105 ILCS 5/10-10, 5/10-16, and 5/10-16.5.

CROSS REF.:2:30 (School District Elections), 2:80 (Board Member Oath and Conduct), 2:210 (Organizational Board of Education Meeting)

Adopted: April 25, 2019

Leyden CHSD 212

2:60 Board Member Removal from Office

If a majority of the Board determines that a Board member has willfully failed to perform his or her official duties, it may request the appropriate Intermediate Service Center to remove such member from office.

LEGAL REF.:

105 ILCS 5/3-15.5.

CROSS REF.:2:70 (Vacancies on the Board of Education - Filling Vacancies)

Adopted: April 25, 2019

Leyden CHSD 212

2:70 Vacancies on the Board of Education - Filling Vacancies

Vacancy

Elective office of a Board of Education member becomes vacant before the term's expiration when any of the following occurs:

1. Death of the incumbent,
2. Resignation in writing filed with the Secretary of the Board of Education,
3. Legal disability,
4. Conviction of a felony, bribery, perjury, or other infamous crime or of any offense involving a violation of official oath or of a violent crime against a child,
5. Removal from office,
6. The decision of a competent tribunal declaring his or her election void,
7. Ceasing to be an inhabitant of the District or a particular area from which he or she was elected, if the residential requirements contained in the School Code are violated,
8. An illegal conflict of interest, or
9. Acceptance of a second public office that is incompatible with Board of Education membership.

Filling Vacancies

Whenever a vacancy occurs, the remaining members shall notify the appropriate Intermediate Service Center of that vacancy within five days after its occurrence and shall fill the vacancy until the next regular board election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term or less than 88 days before the next regularly scheduled election, the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Members appointed by the remaining members of the Board to fill vacancies shall meet any residential requirements as specified in the School Code. The Board shall fill the vacancy within 60 days after it occurred by a public vote at a meeting of the Board.

LEGAL REF.:

105 ILCS 5/10-10 and 5/10-11.

CROSS REF.: 2:40 (Board Member Qualifications), 2:60 (Board Member Removal from Office), 2:120 (Board Member Development)

Adopted: January 16, 2020

Leyden CHSD 212

2:80 Board Member Oath and Conduct

Each Board of Education member, before taking his or her seat on the Board, shall take the following oath of office:

I, (name), do solemnly swear (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education of Leyden Community High School District 212, in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.

I further swear (or affirm) that:

I shall respect taxpayer interests by serving as a faithful protector of the School District's assets;

I shall encourage and respect the free expression of opinion by my fellow Board members and others who seek a hearing before the Board, while respecting the privacy of students and employees;

I shall recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public Board meeting;

I shall abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels;

As part of the Board of Education, I shall accept the responsibility for my role in the equitable and quality education of every student in the School District;

I shall foster with the Board extensive participation of the community, formulate goals, define outcomes, and set the course for *(name of School District)*;

I shall assist in establishing a structure and an environment designed to ensure all students have the opportunity to attain their maximum potential through a sound organizational framework;

I shall strive to ensure a continuous assessment of student achievement and all conditions affecting the education of our children, in compliance with State law;

I shall serve as education's key advocate on behalf of students and our community's school (or schools) to advance the vision for *(name of School District)*; and

I shall strive to work together with the District Superintendent to lead the School District toward fulfilling the vision the Board has created, fostering excellence for every student in the areas of academic skills, knowledge, citizenship, and personal development.

The Board President will administer the oath in an open Board meeting; in the absence, of the President, the Vice President will administer the oath. If neither is available, the Board member with the longest service on the Board will administer the oath.

The Board adopts the Illinois Association of School Boards' "Code of Conduct for Members of Board of Educations." A copy of the Code shall be displayed in the regular Board meeting room.

LEG. REF:

105 ILCS 5/10-16.5.

CROSS REF.:1:30 (School District Philosophy), 2:20 (Powers and Duties of the Board of Education);

Indemnification), 2:50 (Board Member Term of Office), 2:100 (Board Member Conflict of Interest), 2:105 (Ethics and Gift Ban), 2:210 (Organizational Board of Education Meeting)

Adopted: February 21, 2019

Leyden CHSD 212

2:80-E Exhibit - Board Member Code of Conduct

Each member of the Board of Education ascribes to the following code of conduct:

1. I shall represent all school district constituents honestly and equally and refuse to surrender my responsibilities to special interest or partisan political groups.
2. I shall avoid any conflict of interest or the appearance of impropriety which could result from my position, and shall not use my Board of Education membership for personal gain or publicity.
3. I shall recognize that a Board of Education member has no legal authority as an individual and that decisions can be made only by a majority vote at a Board of Education meeting.
4. I shall take no private action that might compromise the Board or administration and shall respect the confidentiality of privileged information.
5. I shall abide by majority decisions of the Board of Education, while retaining the right to seek changes in such decisions through ethical and constructive channels.
6. I shall encourage and respect the free expression of opinion by my fellow Board of Education members and others who seek a hearing before the Board of Education.
7. I shall be involved and knowledgeable about not only local educational concerns, but also about State and national issues.

In addition, I shall encourage my Board of Education to pursue the following goals:

1. The development of educational programs which meet the individual needs of every student, regardless of ability, race, sex, creed, social standing, or disability.
2. The development of procedures for the regular and systematic evaluation of programs, staff performance and Board of Education operations to ensure progress toward educational and fiscal goals.
3. The development of effective Board of Education policies which provide direction for the operation of the schools and delegate authority to the Superintendent for their administration.
4. The development of systematic communications which ensure that the Board of Education, administration, staff, students and community are fully informed and that the staff understands the community's aspirations for its schools.
5. The development of sound business practices which ensure that every dollar spent produces maximum benefits.

DATED : April 25, 2019

Leyden CHSD 212

2:100 Board Member Conflict of Interest

No Board of Education member shall: (1) have a beneficial interest directly or indirectly in any contract, work, or business of the District unless permitted by State or federal law; or (2) solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts with the District. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*.

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

Federal and State Grant Awards

No Board member shall participate in the selection, award, or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) if he or she has a real or apparent conflict of interest. A conflict of interest arises when a Board member or any of the following individuals has a financial or other interest in or a tangible benefit from the entity selected for the contract:

1. A member of the Board member's immediate family;
2. The Board member's partner; or
3. An entity that employs or is about to employ the Board member or one of the individuals listed in one or two above.

LEGAL REF.:

105 ILCS 5/10-9.

5 ILCS 420/, Ill. Governmental Ethics Act.

30 ILCS 708/, Grant Accountability and Transparency Act.

50 ILCS 105/3, Public Officer Prohibited Activities Act.

2 C.F.R. §200.318(c)(1).

CROSS REF.: 2:105 (Ethics and Gift Ban), 4:60 (Purchases and Contracts), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest)

Adopted: January 19, 2023

Leyden CHSD 212

2:105 Ethics and Gift Ban

Prohibited Political Activity

The following precepts govern political activities being conducted by District employees and Board of Education members:

1. No employee shall intentionally perform any "political activity" during any "compensated time," as those terms are defined herein.
2. No Board member or employee shall intentionally use any District property or resources in connection with any political activity.
3. At no time shall any Board member or employee intentionally require any other Board member or employee to perform any political activity: (a) as part of that Board member's or employee's duties, (b) as a condition of employment, or (c) during any compensated time off, such as, holidays, vacation, or personal time off.
4. No Board member or employee shall be required at any time to participate in any political activity in consideration for that Board member or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise; nor shall any Board member or employee be awarded additional compensation or any benefit in consideration for his or her participation in any political activity.

A Board member or employee may engage in any activity that: (1) is otherwise appropriate as part of his or her official duties, or (2) is undertaken by the individual on a voluntary basis that is not prohibited by this policy.

Limitations on Receiving Gifts

Except as permitted by this policy, no Board member or employee, and no spouse of or immediate family member living with a Board member or employee shall intentionally solicit or accept any "gift" from any "prohibited source," as those terms are defined herein, or that is otherwise prohibited by law or policy. No prohibited source shall intentionally offer or make a gift that violates this policy.

The following are exceptions to the ban on accepting gifts from a prohibited source:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Board member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of

personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Board members or employees, or their spouses or immediate family members.

8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. "Catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. "Intra-governmental gift" means any gift given to a Board member or employee from another Board member or employee, and "inter-governmental gift" means any gift given to a Board member or employee from an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the listed exceptions is mutually exclusive and independent of every other.

A Board member or employee, his or her spouse or an immediate family member living with the Board member or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under 26 U.S.C. §501(c)(3).

Definitions

Unless otherwise stated, all terms used in this policy have the definitions given in the State Officials and Employees Ethics Act, 5 ILCS 430/1-5.

"Political activity" means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.

7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

With respect to an employee whose hours are not fixed, "compensated time" includes any period of time when the employee is on premises under the control of the District and any other time when the employee is executing his or her official duties, regardless of location.

"Prohibited source" means any person or entity who:

1. Is seeking official action by: (a) a Board member, or (b) an employee, or by the Board member or another employee directing that employee;
2. Does business or seeks to do business with: (a) a Board member, or (b) an employee, or with the Board member or another employee directing that employee;
3. Conducts activities regulated by: (a) a Board member, or (b) an employee or by the Board member or another employee directing that employee;
4. Has an interest that may be substantially affected by the performance or non-performance of the official duties of the Board member or employee;
5. Is registered or required to be registered with the Secretary of State under the Lobbyist Registration Act, except that an entity does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors; or
6. Is an agent of, a spouse of, or an immediate family member living with a prohibited source.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of a Board member or employee.

Complaints of Sexual Harassment Made Against Board Members by Elected Officials

Pursuant to the State Officials and Employees Ethics Act (5 ILCS 430/70-5), members of the Board and other elected officials are encouraged to promptly report claims of sexual harassment by a Board member. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available. If the official feels comfortable doing so, he or she should directly inform the individual that the individual's conduct or communication is offensive and must stop.

Board members and elected officials should report claims of sexual harassment against a member of the Board to the Board President or Superintendent. If the report is made to the Superintendent, the Superintendent shall promptly notify the President, or if the President is the subject of the complaint, the Vice President. Reports of sexual harassment will be confidential to the greatest extent

practicable.

When a complaint of sexual harassment is made against a member of the Board by another Board member or other elected official, the Board President shall appoint a qualified outside investigator who is not a District employee or Board member to conduct an independent review of the allegations. If the allegations concern the President, or the President is a witness or otherwise conflicted, the Vice President shall make the appointment. If the allegations concern both the President and Vice President, and/or they are witnesses or otherwise conflicted, the Board Secretary shall make the appointment. The investigator shall prepare a written report and submit it to the Board.

If a Board member has engaged in sexual harassment, the matter will be addressed in accordance with the authority of the Board.

The Superintendent will post this policy on the District website and/or make this policy available in the District's administrative office.

LEGAL REF.:

105 ILCS 5/22-93.

5 ILCS 430/, State Officials and Employees Ethics Act.

10 ILCS 5/9-25.1, Election Interference Prohibition Act.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:110 (Qualifications, Term, and Duties of Board Officers), 2:260 (Uniform Grievance Procedure), 4:60 (Purchases and Contracts), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest)

Adopted: January 19, 2023

Leyden CHSD 212

2:110 Qualifications, Term, and Duties of Board Officers

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

President

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

1. Preside at all meetings;
2. Focus the Board meeting agendas on appropriate content;
3. Make all Board committee appointments, unless specifically stated otherwise;
4. Attend and observe any Board committee meeting at his or her discretion;
5. Represent the Board on other boards or agencies;
6. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
7. Call special meetings of the Board;
8. Serve as the *head of the public body* for purposes of the Open Meetings Act and Freedom of Information Act;
9. Ensure that a quorum of the Board is physically present at all Board meetings, except as otherwise provided by the Open Meetings Act;
10. Serve as or appoint the Board's official spokesperson to the media;
11. Except when the Board President is the subject of a complaint of sexual harassment, a witness, or otherwise conflicted, appoint a qualified outside investigator to conduct an independent review of allegations of sexual harassment made against a Board member by another Board member or elected official; and
12. Ensure that all fingerprint-based criminal history records information checks, screenings, and sexual misconduct related employment history reviews (EHRs) required by State law and policy 5:30, *Hiring Process and Criteria*, are completed for the Superintendent.

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

The Vice President fills a vacancy in the Presidency.

Vice President

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

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

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

Secretary

The Secretary shall be a member of the Board who serves a two-year term. The duties of the Secretary are to:

1. Keep meeting minutes for all Board meetings, and keep the verbatim record for all closed

meetings;

2. Mail meeting notification and agenda to news media who have officially requested copies;
3. Keep records of the Board's official acts, and sign them, along with the President, before submitting them to the Treasurer at such times as the Treasurer may require;
4. Report to the Treasurer on or before July 7, annually, such information as the Treasurer is required to include in the Treasurer's report to the appropriate Intermediate Service Center Executive Director;
5. Act as the local election official for the District;
6. Arrange public inspection of the budget before adoption;
7. Publish required notices;
8. Sign official District documents requiring the Secretary's signature; and
9. Maintain Board policy and such other official documents as directed by the Board.

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

Recording Secretary

The Recording Secretary shall:

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

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

Treasurer

The Treasurer of the Board shall serve a two-year term beginning and ending on the first day of July. The Chief Financial Officer shall serve as the Board appointed treasurer. An appointed Treasurer must:

1. Be at least 21 years old;
2. Not be the District Superintendent; and
3. Upon being appointed for his or her first term, be a certified public accountant or a certified chief school business official as defined in the School Code; experience as a township treasurer in a Class II county school before July 1, 1989 is deemed equivalent.

The Treasurer shall:

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

LEGAL REF.:

105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8, 5/10-13, 5/10-13.1,

5/10-14, 5/10-16.5, 5/10-21.9, 5/17-1, 5/21B-85, and 5/22-94.

5 ILCS 120/7, Open Meetings Act.

5 ILCS 420/4A-106, III. Governmental Ethics Act.

CROSS REF.: 2:80 (Board Member Oath and Conduct), 2:105 (Ethics and Gift Ban), 2:150 (Committees), 2:210 (Organizational Board of Education Meeting), 2:220 (Board of Education Meeting Procedure), 5:30 (Hiring Process and Criteria)

Adopted: May 18, 2023

Leyden CHSD 212

2:120 Board Member Development

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

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

Mandatory Board Member Training

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

1. Each Board member elected or appointed to fill a vacancy of at least one year's duration must complete at least four hours of professional development leadership training in education and labor law, financial oversight and accountability, fiduciary responsibilities, and (beginning in the fall of 2023) trauma-informed practices for students and staff within the first year of his or her first term.
2. Each Board member must complete training on the Open Meetings Act no later than 90 days after taking the oath of office for the first time. After completing the training, each Board member must file a copy of the certificate of completion with the Board. Training on the Open Meetings Act is only required once.
3. Each Board member must complete a training program on evaluations under the Performance Evaluation Reform Act (PERA) before participating in a vote on a tenured teacher's dismissal using the optional alternative evaluation dismissal process. This dismissal process is available after the District's PERA implementation date.

The Superintendent or designee shall post on the District website the names of all Board members who have completed the professional development leadership training described in number 1, above.

LEGAL REF.:

5 ILCS 120/1.05 and 120/2.

105 ILCS 5/10-16a and 5/24-16.5.

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

Adopted: January 20, 2022

Leyden CHSD 212

2:120-E1 Exhibit - Guidelines for Serving as a Mentor to a New Board of Education Member

On District letterhead

Date

Dear Board of Education Member:

Thank you for agreeing to serve as a mentor to a new Board member. The goal of the mentoring program is to orient a new Board member to the Board and District and to help help the new Board member be comfortable, develop self-confidence, and become an effective leader. Follow these guidelines to maximize your mentoring effectiveness.

1. Be a good mentor by sharing your knowledge and experiences with others. Take a personal interest in helping others succeed.
2. Try to develop an informal, collegial relationship with the new Board member - explain that you are there to help. Listen respectfully to all concerns and answer questions honestly.
3. During your first contact with the new Board member, introduce yourself and explain that you will serve as the new Board member's mentor and are looking forward to sharing information about the Board and District. If possible, meet with the individual to become acquainted. Be available as needed to provide assistance, advice, and support. The Superintendent's office will have already provided the new Board member with a web link or paper copy of the Board's policies as well as other helpful material.
4. Be prepared to introduce the new Board member at upcoming Board events until the new Board member becomes a familiar face.
5. Be available and maintain a helpful attitude. You will assist the new Board member in becoming an effective member of the Board and ensuring skilled and knowledgeable future leadership for the District.

Being a mentor can bring rewards to you, the new Board member, and the District. Thank you for your assistance and commitment.

Sincerely,

Board of Education President

DATED : September 16, 2021

Leyden CHSD 212

2:120-E2 Exhibit - Website Listing of Development and Training Completed by Board Members

District webmaster: Post this template (including the explanatory paragraphs) on the District's website and update the table as information is provided.

Each Illinois school board member who is elected or appointed to fill a vacancy of at least one year's duration must complete State-mandated *professional development leadership training* (PDLT) and *Open Meetings Act* (OMA) training. State-mandated training is also required for board members who want to vote upon a dismissal based upon the *Performance Evaluation Reform Act*. For additional information, see Board policy 2:120, *Board Member Development*.

The following table contains State-mandated training requirements that were completed by each Board member. When the Illinois Association of School Boards (IASB) provided the training, the acronym "IASB" follows the listed activity.

Name	Development and Training Activity and Provider

IASB is a voluntary organization of local boards of education dedicated to strengthening the Illinois public schools through local citizen control. Although not a part of State government, IASB is organized by member school boards as a private not-for-profit corporation under authority granted by Article 23 of the School Code. The vision of IASB is excellence in local school governance in support of quality public education.

For more information regarding IASB and its programs visit www.iasb.com.

DATED : September 16, 2021

2:125 Board Member Expenses

General

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

Regulation of Board member Expenses

The Board shall regulate the reimbursement and advancement of all travel, meal, and lodging expenses of Board members by adopting a resolution that establishes the following:

1. The types of official business for which travel, meal, and lodging expenses are allowed;
2. The maximum allowable reimbursement or advancement for travel, meal, and lodging expenses;
3. A standardized form for submission of travel, meal, and lodging expenses.

Allowed Expenses

Subject to this policy and Board resolution, Board members may be reimbursed for registration fees and travel, meal, and lodging expenses related to (i) attendance at conferences and meetings that benefit the School District and (ii) the performance of duties or the provision of services rendered to the organizations and associations with which the School District is affiliated or maintains membership.

In addition, subject to this policy and Board resolution, the Board may advance its members actual and necessary expenses to be incurred while attending the following:

1. Meetings sponsored by the State Board of Education or by the regional superintendents of schools,
2. County or regional meetings and the annual meeting sponsored by any school board association complying with the provisions of Article 23 of this Act, and
3. Meetings sponsored by a national organization in the field of public school education.
4. Meetings related to their duties or that will contribute to their professional development.

Such advanced actual and necessary expenses are those reasonably anticipated to be incurred on the days necessary for travel to and from and for attendance at such meetings.

If the Board advances amounts to a Board member, the Board member must return to the School District any portion of the expense advancement not used.

Subject to this policy and Board resolution, School Board members will be reimbursed for:

1. Air travel at the coach or single class commercial airline rate. First class air travel will be reimbursed only if emergency circumstances warrant. Fees for the first checked bag will be reimbursed. Copies of airline tickets and baggage receipts must be attached to the expense form.
2. Rail or bus travel at actual cost.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
4. Automobile rental costs when the vehicle's use is warranted.
5. Taxis, airport limousines, ride sharing or other local transportation costs.

Meal charges to the School District should represent "mid-fare" selections for the hotel/meeting facility or general area but may not exceed \$100 per day.

School Board members should request conference rate or mid-fare room accommodations. In most cases, a single room will be reimbursed. Subject to this policy and Board resolution, other expenses incurred will be reimbursed when specifically related to School District business.

Impermissible Expenses

The Board shall not reimburse or make advancements for the following expenses:

1. The expense of any person except a Board member or School District employee.
2. Any expenses that exceed the maximum allowable travel, meal, or lodging expense established by Board resolution unless the Board member incurred the expense due to an emergency or other extraordinary reason.
3. Any entertainment expense. Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.

Documentation of Expenses

Before the Board may approve reimbursement or advancement related to expenses for travel, meals, or lodging, the following minimum documentation must first be submitted to the Board:

1. An estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred;
2. The name of the individual who received or is requesting the travel, meal, or lodging expense;
3. The office of the individual who received or is requesting the travel, meal, or lodging expense; and
4. The date or dates and nature of the official business in which the travel, meal, or lodging expense was or will be expended.

Roll Call Vote

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

Additional Requirements for Travel Expenses Charged to Federal and State Grants

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

LEGAL REF.:

105 ILCS 5/10-20 and 5/10-22.32.

30 ILCS 708/, Government Accountability and Transparency Act.

50 ILCS 150/, Local Government Travel Expense Control Act.

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

Adopted: April 30, 2020

Leyden CHSD 212

2:125-E1 Exhibit - Board Member Expense Reimbursement Form

Submit to the Superintendent, who will include this request in the monthly list of bills presented to the Board of Education. Please print and attach receipts for all expenditures. **Use of this form is required by 2:125-E3, Resolution to Regulate Expense Reimbursements. Please print.**

Name: _____ Title/Office: _____

Travel Destination: _____ Purpose: _____

Departure Date: _____ Return Date: _____

Receipts attached Request Date: _____

Estimated expenses attached (Completed 2:125-E2, Board Member Estimated Expense Approval Form)(pre-approval is required for federal and State grants).

Approved expense advancement (voucher) attached, if applicable* (Completed 2:125-E2, Board Member Estimated Expense Approval Form.)

Actual Expense Report

* Board members will be reimbursed for actual and necessary expenses that exceed the amount advanced, but must refund any expense advancement that exceeds the actual and necessary expenses incurred. 105 ILCS 5/10-22.32. For federal and State grants, board members will be reimbursed for actual and necessary expenses that exceed estimated expenses as permitted by Board policy 2:125, *Board Member Compensation; Expenses*.

Auto Travel Allowance: _____ per mile

Date	Auto Mileage		Transp. Expenses	Lodging	Meals or Per Diem			Other		Daily Total
	Miles	Cost			Bkfst	Lunch	Dinner	Item	Cost	
Subtotal										
Advances									-	
TOTAL (a negative amount indicates refund due from Board member)									\$	

Submitting Board Member's Signature _____ Date _____

Superintendent Signature _____ Date _____

Board Action:

Approved

Denied

Approved in Part

Exceeds Maximum Allowable Amount

Grant Funding Source (if applicable): _____

Comments: _____

DATED : April 30, 2020

Leyden CHSD 212

Total										\$

Submitting Board Member's Signature _____ Date

Superintendent Signature _____ Date

Board Action:

Approved **Denied**

Approved in Part **Exceeds Maximum Allowable Amount**

Grant Funding Source (if applicable): _____

Comments: _____

DATED : April 30, 2020

Leyden CHSD 212

2:125-E3 Resolution to Regulate Expense Reimbursements

WHEREAS, Section 10-20 of the School Code (105 ILCS 5/10-20) grants school boards other powers that are not inconsistent with their duties;

WHEREAS, Section 10 of the Local Government Travel Expense Control Act (50 ILCS 150/) provides that the Board of Education shall by resolution regulate the reimbursement of all travel, meal, and lodging expenses of officers and employees, including, but not limited to: (1) the types of official business for which travel, meal, and lodging expenses are allowed; (2) maximum allowable reimbursement for travel, meal, and lodging expenses; and (3) a standardized form for submission of travel, meal, and lodging expenses supported with minimum documentation;

WHEREAS, the Board regulates the types of expenses that are allowed in Board Policies 2:125, *Board Member Compensation; Expenses* and 5:60, *Expenses*;

WHEREAS, based upon the School District's budget and other financial considerations, the Superintendent has recommended to the Board a maximum allowable reimbursement amount of \$100 per diem for meals, air travel at coach or equivalent rate, lodging at conference rate or mid-fare room accommodations for Board members and School District employees;

WHEREAS, the Board requires submission of appropriate standardized expense forms supported with required written minimum documentation (50 ILCS 150/10 and 20);

WHEREAS, submitted expenses that exceed the Board's maximum allowable reimbursement amount may be approved by a roll call vote at an open meeting of the Board when an emergency or other extraordinary circumstance exists (50 ILCS 150/10 and 15);

WHEREAS, all Board member expenses must be approved by a roll call vote at an open meeting of the Board (50 ILCS 150/15);

THEREFORE, BE IT RESOLVED, that the Board hereby:

1. Defines and sets the types of allowable expenses through Board policies 2:125, *Board Member Compensation; Expenses* and 5:60, *Expenses*.
2. Sets the maximum allowable reimbursement for travel, meal, and lodging expenses to an amount not to exceed \$4,000/event, effective on January 1, 2017 until the Resolution is rescinded or replaced by the Board.
3. Supersedes its previously adopted *Resolution to Regulate Expense Reimbursements* as of the effective date in paragraph two above.
4. Requires use of Board exhibits 2:125-E1, *Board Member Expense Reimbursement Form*; 2:125-E2, *Board Member Estimated Expense Approval Form*; 5:60-E1, *Employee Expense Reimbursement Form*; and 5:60-E2, *Employee Estimated Expense Approval Form*.
5. May approve expenses that exceed the Board's maximum allowable reimbursement amount by a roll call vote at an open meeting when an emergency or other extraordinary circumstance exists.
6. Must approve its members' expenses by a roll call vote at an open meeting.

Attested by: Board President

Attested by: Board Secretary

Adopted: September 16, 2021

2:130 Board-Superintendent Relationship

The Board of Education directs, through policy, the Superintendent in his or her charge of the administration of the District by delegating its authority to operate the District and provide leadership to staff. The Board employs and evaluates the Superintendent and holds him or her responsible for the operation of the District in accordance with Board policies and State and federal law.

The Board-Superintendent relationship is based on mutual respect for their complementary roles. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and Superintendent.

The Board considers the recommendations of the Superintendent as the District's Chief Executive Officer. The Board adopts policies necessary to provide general direction for the District and to encourage achievement of District goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the District's operations.

LEGAL REF.:

105 ILCS 5/10-16.7 and 5/10-21.4.

CROSS REF.: 3:40 (Superintendent)

Adopted: September 16, 2021

Leyden CHSD 212

2:140 Communications To and From the Board

The Board of Education welcomes communications from staff members, parents/guardians, students, and community members. Individuals may submit questions or communications for the School Board's consideration to the Superintendent or may use the electronic link to the Board's email address(es) posted on the District's website.

The Superintendent or designee shall:

1. Ensure that the home page for the District's website contains an active electronic link to the email address(es) for the School Board, and
2. During the Board's regular meetings, report for the Board's consideration all questions or communications submitted through the active electronic link along with the status of the District's response in the Board meeting packet.

If contacted individually, Board members will refer the matter to the Superintendent's office, and the Superintendent or designee will forward the message to the appropriate department or, if it concerns a matter for Board consideration, include the message in the Board packet. There is no expectation of privacy for any communication sent to the Board or its members, whether sent by letter, email, or other means.

Board Member Use of Electronic Communications

For purposes of this section, *electronic communications* includes, without limitation, electronic mail, electronic chat, instant messaging, texting, and any form of social networking. Electronic communications among a majority or more of a Board-quorum shall not be used for the purpose of discussing District business and shall be limited to: (1) disseminating information, and (2) messages not involving deliberation, debate, or decision-making. The following list contains examples of permissible electronic communications:

- Agenda item suggestions
- Reminders regarding meeting times, dates, and places
- Board meeting agendas or information concerning agenda items
- Individual emails to community members, subject to the other limitations in this policy

In accordance with the Open Meetings Act and the Oath of Office taken by Board members, individual Board members will not (a) reply to an email on behalf of the entire Board, or (b) engage in the discussion of District business through electronic communications with a majority of a Board-quorum.

LEGAL REF.:

5 ILCS 120/, Open Meetings Act.

50 ILCS 205/20, Local Records Act.

CROSS REF.:2:220 (School Board Meeting Procedure), 3:30 (Chain of Command), 8:110 (Public Suggestions and Concerns)

Adopted: September 12, 2019

2:150 Committees

The Board of Education may establish committees to assist with the Board's governance function and, in some situations, to comply with State law requirements. These committees are known as Board committees and report directly to the Board. Committee members may include both Board members and non-Board members depending on the committee's purpose. The Board President makes all Board committee appointments unless specifically stated otherwise. Board committee meetings shall comply with the Open Meetings Act. A Board committee may not take final action on behalf of the Board - it may only make recommendations to the Board.

LEGAL REF.:

5 ILCS 120/, Open Meetings Act.

105 ILCS 5/10-20.14 and 5/14-8.05.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 2:240 (Board Policy Development), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

Adopted: January 19, 2023

Leyden CHSD 212

2:160 Board Attorney

The Board of Education may retain legal services with one or more attorneys or law firms to be the Board Attorney(s). The Board Attorney represents the Board in its capacity as the governing body for the School District. The Board Attorney serves on a retainer or other fee arrangement as determined in advance. The Board Attorney will provide services as described in the agreement for legal services or as memorialized by an engagement letter. The District will only pay for legal services that are provided in accordance with the agreement for legal services, as memorialized by an engagement letter, or that are otherwise authorized by this policy or a majority of the Board.

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

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

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

LEGAL REF.:

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

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

Adopted: April 30, 2020

Leyden CHSD 212

2:160-E Exhibit - Checklist for Selecting a Board Attorney

The Board of Education selects and retains the Board Attorney(s). The Board may use this checklist for guidance when it selects and retains attorney(s) and/or law firms for legal services. This checklist is designed for the Board to use a request for proposal (RFP) process to seek outside attorneys/law firms. The Board may also select an attorney without using an RFP process and adapt this checklist.

The Board may also adapt this checklist and use it for an application process, if the Board seeks an inhouse attorney. For more information, call the IASB Office of General Counsel; see its current phone numbers at www.iasb.com/about-us/staff/#office-general-counsel.

Determine what type of legal services the District needs.

1. Review Board policy 2:160, *Board Attorney*. **Note:** Critically analyze whether the District's legal needs are best served by in-house attorney(s) or outside attorney(s)/law firms. Many districts use a combination of these services. Many districts also use multiple attorney(s)/law firms for their specialties, e.g., different law firms for bond counsel, special education, or labor law. Some boards also approve a panel of attorneys and allow the administration to choose which attorney to use.
2. Consider the following factors to analyze the type(s) of legal services needed for the District including, but are not limited to:
 - District's size;
 - Any past and current experiences with legal matters;
 - Complexity of the District's legal needs;
 - Availability of expertise; and
 - Cost of outside fees compared to internal staff expenses for an in-house arrangement.

Develop a list of qualifications necessary for providing quality legal services to the District.

1. Review policy 4:60, *Purchases and Contracts*. **Note:** While State law exempts hiring an attorney from bidding requirements (105 ILCS 10-20.21(a)), the Board may want to review its procurement processes and align procurement for legal services to its non-bidding-related standards for purchases, e.g., avoiding favoritism, staying within the District's budget, etc.
2. Develop the list of qualifications. The major qualifications include, but are not limited to:
 - Licensed to practice law in Illinois and in good standing with the Ill. Attorney Registration and Disciplinary Commission (ARDC) (see checklist item *Conduct a reference check and other background investigations*, below)
 - Member of the District's assigned United States district court and the Seventh Circuit Court of Appeals
 - Substantive knowledge and experience in the legal areas matching District's needs, e.g., bidding, civil rights, collective bargaining, education reform, employment law, Freedom of Information Act, Open Meetings Act, other records laws, special education, student rights, etc. **Note:** This list of knowledge and experience must be created by the District's identified needs and may change from time to time.
 - Experience in all aspects of contract, employment, and school law
 - Experience that meets the District's needs, including litigation experience in State and federal courts
 - Membership in professional associations, such as, the Ill. Council of School Attorneys (ICSA) and education law sections of bar associations, etc.
 - Demonstrated knowledge of and ability to apply professional responsibility rules

- Accessibility for the District's identified needs, e.g., evening Board meetings, phone calls, etc.
- Ability to declare that representation of the District will be to the exclusion of all other clients having potential conflicts with the District's interests
- When additional qualifications apply, list those qualifications for providing legal services. This may include specialties such as bond counsel, etc.

Develop the RFP.

1. Insert the list of qualifications that the Board developed.
2. Include the following information:
 - The deadline for responses to be submitted
 - The location (address or email) where responses should be sent
 - A statement that the Board is soliciting proposals from qualified lawyers and law firms to provide legal services to the School District
 - Significant information about the District (see policy 1:30, *School District Philosophy*, for the District's mission statement that is specific to the community's goals)
 - The scope of work, e.g., "The Board Attorney will provide legal advice concerning *[typical duties, specific duties, excluded duties]*."
 - Qualifications
 - Details about interviews and presentations
3. Specify what responders must include in their responses, such as the following:
 - Cover letter, complete name, address, and legal structure (if the responder is a law firm)
 - The individuals who prepared the response, including their titles
 - If different from above, the identity of and directory information for the individuals who have authority to answer questions regarding the submitted proposal
 - A proposed fee schedule, e.g., "Respondents may combine set fees and hourly fees. If hourly fees are proposed, please provide the minimum time increment for billing purposes. If a retainer agreement is proposed, please specifically describe options."
 - A summary of the responder's relevant experience representing public schools
 - A writing sample
 - An assurance that the responder meets the RFP's qualifications
 - References including current or past clients

Announce the RFP.

1. Title the announcement. **Note:** How and where the RFP is announced are at the Board's sole discretion. The Board may want to announce the RFP during an open meeting, post it on the District's website, mail or email it to local law firms, and/or place it in the local newspaper(s) or other legal publications. A directory of those lawyers belonging to the ICSA is on the IASB website, www.iasb.com. A printed copy is available upon request. Inclusion in the directory does not represent an IASB endorsement. Some attorneys who practice school law do not belong to ICSA. Other online sources, such as the Ill. State Bar Association, also maintain directories of information about attorneys. The Board may want to title the announcement "The *[Insert District's name]* Board of Education Requests Proposals to Provide Legal Services."
2. Announce that the Board seeks an attorney or law firm to serve as its Board Attorney.
3. Inform the reader that the attorney or law firm selected will serve either *at will* or from the date of appointment to *[date]*. The length of the appointment is at the Board's discretion.

4. State the School District's philosophy or mission statement.
5. Insert the RFP location and contact information with the beginning date and time.
6. Tell prospective responders that completed RFPs must be returned by [*certain time and date*] to [*name and title of person receiving applications*].

Receive and manage responses to the RFP.

1. Review policy 2:110, *Qualifications, Term, and Duties of Board Officers*. The Board President is a logical officer to accept the applications, but this task may be delegated to the Secretary or Superintendent's secretary if the Board determines that it is more convenient. Who accepts applications is at the Board's sole discretion and should be decided by the Board prior to posting the RFP announcement.
2. The Board will discuss, at an open meeting, its process to review the applications and who will contact RFP responders for an interview.
3. The designated person will contact RFP responders for interviews.

Develop interview questions if the Board interviews attorneys or law firms.

1. Interview questions are at the Board's discretion.
2. A prospective attorney or law firm to fill the Board Attorney position may raise other specific issues that the Board will want to cover during an interview.
3. The following non-exhaustive list of interview questions may help the Board tailor its questions toward finding an attorney or law firm with an approach to the role of the Board Attorney that the Board desires:
 - What do you see as your role as Board Attorney?
 - How many other school districts do you currently represent?
 - What kind of legal services do you provide to your school clients? Please explain how your other experience is relevant to this position.
 - How many years of experience does your firm (or, the attorney) have? How long have you been practicing law? How long have you been representing school districts?
 - What methods will you use to ensure all members of the Board, which is your client, remain informed? See the discussion about the *III. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
 - How would you manage a situation in which the Board feels strongly about its position but you believe that position is not legally supportable? The *III. Rules of Professional Conduct*, at www.illinoiscourts.gov/supremecourt/rules/art_viii/default_new.asp, require attorneys to represent the Board in its capacity as the governing body for the District. The responders should be discussing these rules, specifically Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client), among others, in their answers to this question. See also, **PRESS** policy 2:160, *Board Attorney*.
 - How would you manage a situation in which the Board's interest may be or become adverse to one or more of its members? See the discussion about the *III. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
 - How would you manage a situation in which the Board and Superintendent are in conflict? How about a divided Board? See the discussion about the *III. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
 - If the Board did something that you had advised against, could you still defend the Board's action? See the discussion about the *III. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.

- Will you try to shape Board decisions or do you have a *whatever the Board decides philosophy*? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- Do you give clients specific recommendations or do you advise them of the available options and let the client decide? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- Do you provide your Board of Education clients with any updating services gratis?
- How do you keep your Board clients apprised of litigation and other legal matters you are handling for them?
- Will you be handling this business personally, i.e., will you delegate to your associates or partners?
- Can anyone else in your firm handle our inquiries when you are unavailable?
- How do you keep current on school law?
- When do you tell your school clients to contact you regarding a matter with possible legal repercussions?
- Have you represented a school district in a matter involving the rights of disabled students? ...involving disabled employees? ... involving a student expulsion? ... involving a teacher dismissal? ... involving an employee's contract or dismissal? ... involving a building contract or bidding matter? ... Can you tell us about that case?
- How do you bill? How are you to be paid? Please explain your rates and/or fees. The subject of billing should cover whether the attorney or law firm prepares a budget for representation and its method for billing in detail, including the date and time, what work was performed, and who worked on the project, along with expenses.
- Did you bring a written agreement for legal services, engagement letter, or a retainer agreement? If yes, please review it for us now. If not, please explain the options for a written agreement for legal services, engagement letter, or a retainer agreement.

Develop an interview protocol. Interviews may occur in closed session pursuant to 5 ILCS 120/2(c)(1).

1. The Board President will lead the Board as it interviews responders to its RFP. See 105 ILCS 5/10-13 stating that the Board President presides at all meetings and policy 2:110, *Qualifications, Term, and Duties of Board Officers*.
2. The Board may also want to consider allowing an equal amount of time for each interview.
3. Discuss the following items with each responder during the interview:
 - Introduce Board members to the responder
 - Describe the Board's interview process, selection process, and ask the responder if he or she has questions about the Board's process for selecting its attorney
 - Describe the District's philosophy or mission statement
 - Describe the Board Attorney position by reviewing the RFP
 - Begin asking the interview questions (see *Develop interview questions*, above)
 - Ask the responder whether he or she has any questions for the Board
 - Thank the responder and inform him or her when the Board expects to make its decision and how the responder will be contacted regarding the Board's decision

Conduct a reference check and other background investigation(s).

1. The Board President may perform this check or direct the Superintendent to:

- Check the ARDC’s master roll of attorneys as “Authorized to Practice Law” (To do this, enter the attorney’s name into the ARDC’s registration and public disciplinary records database at: www.iardc.org/lawyersearch.asp.)
 - Click on the attorney’s name to review whether any disciplinary actions are pending or resolved; current and prior actions will appear at the bottom of the screen
 - If disciplinary actions are listed, ask the attorney or law firm for more information
2. There are other online attorney review services available. These services may be overly subjective and/or the attorney may have control over the content in these services. Always check with the ARDC.
 3. Call references provided by the responder.

Enter into a written agreement or engagement letter with the selected attorney or law firm.

1. All *agreements for legal services* should be in writing. At minimum, the agreement should provide the fee arrangement and the scope of services. *Agreements for legal services* and individual billing statements from the Board Attorney are subject to disclosure pursuant to a Freedom of Information Act request (PAO 14-02).
2. Discuss the fee arrangements with the responder and decide:
 - Whether to enter into a fee arrangement and/or a retainer agreement (**Note:** Attorneys typically bill by a pre-determined percentage of the hour, e.g., in one-tenth of an hour increments. Many districts enter into a retainer agreement for legal services or an engagement letter that requires them to pay the attorney a pre-determined fee every month. In return, the attorney provides a pre-determined amount of legal services whenever the district needs him or her. Districts find this useful because (1) they can budget for legal expenses, (2) legal advice is available up to the pre-determined amount for lower fees, and (3) this arrangement often provides for an enhanced, long-term relationship with the attorney.)
 - The appropriate scope of services
3. Review the written contract or memorialized relationship (*agreement for legal services* or *engagement letter*) for these provisions:
 - Fee arrangement
 - Scope of services
 - Which attorneys will be providing legal services
 - A statement that the Board controls all legal decisions
 - A statement that the attorney and his or her law firm have no conflicts of interest or, if a conflict exists, that the Board understands the conflict and waives it
 - Board’s right to terminate the services of the attorney and law firm at any time for any reason
4. Approve the *agreement for legal services* or *engagement letter* during an open Board meeting.

Announce the appointment to District staff and community.

1. The contents of the announcement and length of time it is displayed are at the Board’s sole discretion.
2. The Board may want to consider announcing during an open meeting. See policy 8:10, *Connection with the Community*.
3. The Board may want to include the following information in its announcement:

- The Board appointed [attorney's name or law firm name] as the Board Attorney
- The appointment will begin on [date] for [length of time]
- The Board previously established qualifications for the Board Attorney in a careful and thoughtful manner, e.g., "[Attorney or lawfirm's name] meets these qualifications and has demonstrated the willingness to accept its duties and responsibilities. [Attorney or law firm's name] brings a clear understanding of the demands and expectations of the Board Attorney position along with a constructive attitude toward the challenge."

DATED : August 13, 2020

Leyden CHSD 212

2:170 Procurement of Architectural, Engineering, and Land Surveying Services

The Board of Education selects architects, engineers, and land surveyors to provide professional services to the District on the basis of demonstrated competence and qualifications, and in accordance with State law.

LEGAL REF.:

40 U.S.C. §541.

50 ILCS 510/1 et seq., Local Government Professional Services Selection Act.

105 ILCS 5/10-20.21.

Shively v. Belleville Township High School District 201, 769 N.E.2d 1062 (Ill.App.5, 2002), *appeal denied*.

ADOPTED: June 19, 2008

Leyden CHSD 212

2:200 Types of Board of Education Meetings

General

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

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

Regular Meetings

The Board of Education announces the time and place for its regular meetings at the beginning of each fiscal year. The Superintendent shall prepare and make available the calendar of regular Board of Education meetings. The regular meeting calendar may be changed with 10 days' notice in accordance with State law.

A meeting agenda shall be posted at the District's main office and the Board's meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting. Items not specifically on the agenda may still be considered during the meeting.

Closed Meetings

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

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor in a park, recreational, or educational setting, or a volunteer of the public body or against legal counsel for the public body 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 [the Open Meetings Act]. 5 ILCS 120/2(c)(1), amended by P.A. 101-459.
2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
3. The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in the Open Meetings Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).
5. The purchase or lease of real property for the use of the public body, including meetings held for

- the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
6. The setting of a price for sale or lease of property owned by the public body. 5ILCS 120/2(c)(6).
 7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
 8. Security procedures, school building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5ILCS 120/2(c)(8).
 9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
 10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
 11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
 12. The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).
 13. Self-evaluation, practices and procedures, or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16).
 14. Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
 15. Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

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

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

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

Reconvened or Rescheduled Meetings

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

Special Meetings

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

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

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

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

Emergency Meetings

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

Posting on the District Website

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

LEGAL REF.:

5 ILCS 120/, Open Meetings Act.

5 ILCS 140/, Freedom of Information Act.

105 ILCS 5/10-6 and 5/10-16.

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

Adopted: January 16, 2020

Leyden CHSD 212

2:210 Organizational Board of Education Meeting

During a March meeting in odd-numbered years, the Board of Education establishes a date for its organizational meeting to be held sometime after the election authority canvasses the vote, but within 40 days after the consolidated election. The consolidated election is held on the first Tuesday in April of odd-numbered years.

At the organizational meeting the following shall occur:

1. Each successful candidate, before taking his or her seat on the Board, shall take the oath of office as provided in Board policy 2:80, *Board Member Oath and Conduct*.
2. The new Board of Education members shall be seated.
3. The Board of Education shall elect its officers, who assume office immediately upon their election.
4. The Board of Education shall fix a time and date for its regular meetings.

LEGAL REF.:

105 ILCS 5/10-5, 5/10-16, and 5/10-16.5.

10 ILCS 5/2A-1 et seq., Election Code.

CROSS REF.: 2:30 (School District Elections), 2:110 (Qualifications, Term, and Duties of Board Officers), 2:200 (Types of Board of Education Meetings), 2:220 (Board of Education Meeting Procedure), (2:230 Public Participation at Board of Education Meetings and Petitions to the Board)

Adopted: January 19, 2023

Leyden CHSD 212

2:220 Board of Education Meeting Procedure

Agenda

The Board President is responsible for focusing the Board meeting agendas on appropriate content. The Superintendent shall prepare agendas in consultation with the Board President.

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

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

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

Voting Method

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

On all questions involving the expenditure of money and on all questions involving the closing of a meeting to the public, a roll call vote shall be taken and entered in the Board's minutes.

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

Any Board member may request that his or her vote be recorded and may append a statement explaining it.

Minutes

The Board Secretary shall keep written minutes of all Board of Education meetings (whether open or closed), which shall be signed by the President and the Secretary. The minutes include:

1. The meeting's date, time, and place;
2. Board of Education members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted "yea" and "nay";
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;
6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act (OMA) authorizing the closed meeting;

7. A record of all motions, the members making the motion and the second; and
8. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

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

Every six months, or as soon after as is practicable, in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) determines which, if any, no longer require confidential treatment and are available for public inspection. This is also referred to as a *semi-annual review*. The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release, but it reports its determination in open session.

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

The official minutes are in the custody of the Chief Financial Officer's office. Open meeting minutes are available for inspection during regular office hours within 10 days after the Board's approval; they may be inspected in the Chief Financial Officer's office, in the presence of the Secretary, the Superintendent or designee, or any Board of Education member.

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

The Board's open meeting minutes shall be posted on the District website within 10 days after the Board approves them; the minutes will remain posted for at least 60 days.

Verbatim Record of Closed Meetings

The Chief Financial Officer shall audio record all closed meetings. If he/she is not present, the Board President or presiding officer shall assume this responsibility. After the closed meeting, the person making the audio recording shall label the recording with the date and store it in a secure location. The Chief Financial Officer shall ensure that: (1) an audio recording device and all necessary accompanying items are available to the Board for every closed meeting, and (2) a secure location for storing closed meeting audio recordings is maintained close to the Board's regular meeting location.

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

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

Before making such requests, Board members should consider whether such requests are germane to their responsibilities, service to District, and/or Oath of Office in policy 2:80, *Board Member Oath and Conduct*. In the interest of encouraging free and open expression by Board members during

closed meetings, the recordings of closed meetings should not be used by Board members to confirm or dispute the accuracy of recollections.

Quorum and Participation by Audio or Video Means

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

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

No Physical Presence of Quorum and Participation by Audio or Video; Disaster Declaration

The ability of the Board to meet in person with a quorum physically present at its meeting location may be affected by the Governor or the Director of the Ill. Dept. of Public Health issuing a disaster declaration related to a public health emergency. The Board President or, if the office is vacant or the President is absent or unable to perform the office's duties, the Vice President determines that an in-person meeting or a meeting conducted under the **Quorum and Participation by Audio or Video Means** subhead above, is not practical or prudent because of the disaster declaration; if neither the President nor Vice President are present or able to perform this determination, the Superintendent shall serve as the duly authorized designee for purposes of making this determination.

The individual who makes this determination for the Board shall put it in writing, include it on the Board's published notice and agenda for the audio or video meeting and in the meeting minutes, and ensure that the Board meets every OMA requirement for the Board to meet by video or audio conference without the physical presence of a quorum.

Rules of Order

Unless State law or Board-adopted rules apply, the Board President, as the presiding officer, will use the most recent edition of Robert's Rules of Order Newly Revised, as a guide when a question arises concerning procedure.

Broadcasting and Recording Board Meetings

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

LEGAL REF.:

5 ILCS 120/2a, 120/2.02, 120/2.05, 120/2.06, and 120/7.

105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.

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

Adopted: January 20, 2022

Leyden CHSD 212

2:220-E9 Exhibit - Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration

Use this exhibit to document the Board's and/or its committee(s)'s (5 ILCS 120/1.02) processes to comply with the requirements of the Open Meetings Act (OMA) when a board and/or its committee(s) must meet during a disaster declaration related to a public health emergency/concern and the meeting will have no physical presence of a quorum and participation by audio or video.

Note: If a Board committee uses this exhibit, replace Board President, Vice President, and Supt. with the appropriate committee leaders.

Consult the Board Attorney for guidance.

Documentation of OMA Requirements for Board Members to Participate in a Meeting with No Physical Presence of Quorum

The Governor or the Director of the Ill. Dept. of Public Health has issued a disaster declaration related to a public health emergency because of a disaster as defined in 20 ILCS 3305/4, and all or part of the jurisdiction of the Board is covered by the disaster area. 5 ILCS 120/7(e)(1), amended by P.A. 101-640. **Note:** OMA uses "public health concerns," but the Ill. Emergency Management Act (IEMA) uses "public health emergency;" this exhibit matches the IEMA term because it governs disaster declarations.

Insert Disaster Declaration or Executive Order number [_____] or attach to this document.

The Board President or, if the office is vacant or the President is absent or unable to perform the office's duties, the Vice President, or if neither the President nor Vice President are present or able to perform this determination, the Superintendent (5 ILCS 120/7(e)(2), amended by P.A. 101-640, and 140/2(e)) signs below that the following three **Steps** were executed by:

Step 1. Determining whether the meeting is a bona fide emergency (5 ILCS 120/7(e)(7), amended by P.A. 101-640) (*check Yes or No, below*):

Yes; it is an emergency meeting, and I:

- A. Notified the Board members and the public, including any news medium which has filed an annual request for notice of meetings as soon as practicable, but in any event prior to the holding of such meeting pursuant to 5 ILCS 120/2.02(a) and 120/7(e)(7)(A), amended by P.A. 101-640;
- B. Stated the nature of the emergency at the beginning of the meeting; and
- C. Provided the Superintendent or Board Secretary the resources necessary during the meeting to keep a verbatim record of the meeting, **for both open and closed**, and managed it the same way that the Board complies with the verbatim recording requirements for closed meetings (see exhibit 2:220-E1, *Board Treatment of Closed Meeting Verbatim Recordings and Minutes*).
Note: In this situation, a verbatim recording is not limited to closed meetings only.
- D. Move to Step 2, below.

No; it is a regular or special meeting, and I:

- A. Ensured that the Board provided 48 hours' notice of the meeting to all Board members, to any news medium on file in the District that have requested notice of meetings pursuant to 5 ILCS 120/2.02(a), and to members of the public by posting it on the District's website. 5 ILCS 120/7(e)(7), amended by P.A. 101-640. **Note:** 5 ILCS 120/7(e), amended by P.A. 101-640 does not have the "if any" exception for school boards that do not have websites. Consult the board attorney regarding alternate ways to communicate notice of a meeting when the district

does not have a website and a Disaster Declaration or Executive Order has been issued.

Insert meeting date and time, and a link to the meeting notice or attach a copy of the notice to this document.

B. Moves to Step 2, below.

Step 2. Determining whether it is practical, prudent, or feasible for any in-person attendance at the regular meeting location (5 ILCS 120/7(e)(2), amended by P.A. 101-640). (*check Yes or No, below*):

Yes; in-person attendance is practical, prudent, or feasible, and I:

- A. Ensured that at least one Board member, the Board Attorney, or the Superintendent was physically present at the regular meeting location (5 ILCS 120/7(e)(5), amended by P.A. 101-640), and
- B. Verified that members of the public who were present could hear all discussion and testimony and all votes of the members of the Board. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.
- C. Move to Step 3, below.

No; in-person attendance is not practical, prudent, or feasible, and I:

- A. Made a written determination referring to the specific Executive Order or Disaster Declaration citing the public health concern/emergency that applies to the Board and the meeting. 5 ILCS 120/7(e)(1) and (2), amended by P.A. 101-640.
- B. Included the written determination made in letter A., above, on the Board's published notice and agenda for the alternative arrangements for the meeting. 5 ILCS 120/7(e)(7)(A)-(B), amended by P.A. 101-640.
- C. Offered the alternative arrangements to the public by offering a telephone number or a web-based link. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.

Insert a link to the meeting notice or attach a copy of the notice or refer to above if already attached to this document (see above).

Include this written determination on the Board/committee's published notice and agenda for the audio or video meeting, and in the meeting minutes.

D. Move to Step 3, below.

Step 3. During the meeting, I:

Directed the Recording Secretary to, in addition to the requirements for open meetings under OMA, also keep verbatim record of the open meeting by recording it and making it open and available to the public under all provisions of OMA. 5 ILCS 120/7(e)(9), amended by P.A. 101-640. ***Sample text follows below in the subhead below Report to the Public Following the Board's Meeting with No Physical Presence of Quorum.***

Read my written determination referring to the specific Executive Order or Disaster Declaration citing the public health concern/emergency that applies to the Board and the meeting and directed the Recording Secretary to include it in the meeting minutes.

Ensured that any interested member of the public has access to contemporaneously hear all discussion, testimony, and roll call votes. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.

Requested the Recording Secretary to enter into the appropriate minutes of the Board that each

Board member participating in the meeting, wherever their physical locations, announced:

1. Themselves present (5 ILCS 120/7(e)(3), amended by P.A. 101-640), and
2. A verification that they could hear one another and all discussion and testimony. Id.

See 2:220-E3, *Closed Meeting Minutes* and/or 2:220-E4, *Open Meeting Minutes*.

Attach to this document copies or information about where these minutes may be found.

Announced and considered each Board member participating in the meeting present at the meeting for purposes of determining a quorum and participating in all proceedings (5 ILCS 120/7(e) (8), amended by P.A. 101-640) and directed the Recording Secretary to reflect it in the minutes (best practice for transparency).

Conducted all votes by roll call, so each Board member’s vote on each issue could be identified and recorded (5 ILCS 120/7(e)(6), amended by P.A. 101-640), and ensured that the Recording Secretary entered all votes as **Roll Call Votes** (*Use exhibit 2:220-E4, Open Meeting Minutes but ensure all votes are recorded as roll call votes pursuant to the example below:*

“Yeas”	“Nays”
--------	--------

Motion: Carried Failed

Executed or directed execution of the subhead below **Report to the Public Following the Board’s Meeting with No Physical Presence of Quorum.**

Report to the Public Following the Board’s Meeting with No Physical Presence of Quorum

The text below may be used for the actual report.

The Board of Education met on [*insert date*] with no physical presence of quorum to conduct its business.

The verbatim [*circle one*] audio | video recording of this meeting is available to the public under all provisions of OMA and will be destroyed pursuant to 5 ILCS 120/2.06(c)(no less than 18 months after the completion of the meeting recorded but only after: (1) the Board approves the destruction of the particular recording; and (2) the Board approves minutes of the meeting that meet the written minutes requirements of OMA). 5 ILCS 120/7(e)(9), amended by P.A. 101-640.

Insert links to the verbatim recording of meeting here or attach to this document.

Note: Consult the board attorney for guidance on the destruction of a verbatim recording of an open meeting without the physical presence of a quorum. While 5 ILCS 120/2.06(c) refers to the process for destroying closed session verbatim recordings, 5 ILCS 120/7(e)(9), amended by P.A. 101-640, applies that process for destroying closed session verbatim recordings to the destruction of the verbatim open session recordings that are required when a board determines it is necessary for it to meet without the physical presence of a quorum due to a public health emergency.

Completed By: _____

Title: _____

DATED : August 13, 2020

Leyden CHSD 212

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

The Board will allocate up to 30 minutes during each regular and special open meeting, during which any person may make comments to the Board regarding agenda or non-agenda items related to the District, subject to the reasonable constraints established and recorded in this policy. It shall be the Board's practice not to directly engage in discussion or ask or answer questions during public comment.

To preserve sufficient time for the Board to conduct its business, any person appearing before the Board is expected to follow these guidelines:

1. Sign in on the designated public comment form, which requests each speaker to provide his or her name, address, topic, and whether the individual is a resident of the District. Individuals that provide they are residents will be permitted to speak before individuals that do not identify themselves as residents.
2. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board President.
3. Identify oneself and be brief. Each person may address the Board for up to three minutes.
4. Conduct oneself with respect and civility toward others and otherwise abide by Board policy 8.30, *Visitors to and Conduct on School Property*. Specifically, individuals should display mutual respect, civility, and orderly conduct. Individuals shall not:
 - a. Strike, injure, threaten, harass, or intimidate a staff member, Board member, or any other person.
 - b. Use vulgar or obscene language.
 - c. Impede, delay, disrupt, or otherwise interfere with a Board meeting (including using cellular phones in a disruptive manner).
 - d. Engage in any conduct that interferes with, disrupts, or adversely affects the District or a Board meeting.
 - e. Violate other District policies or regulations, a directive from an authorized security officer, or a District employee or Board member.

The Board President shall have authority to:

1. Shorten the time for each person to address the Board to conserve time and give the maximum number of people an opportunity to speak.
2. Limit the duration of public comment on any one subject to 20 minutes. If several individuals wish to address the Board on the same subject, the group is encouraged to appoint a spokesperson.
3. Extend the 30-minute time limit for public participation.
4. Extend the three-minute time limit for individual speakers.
5. Determine procedural matters regarding public participation not otherwise covered in Board policy.

LEGAL REF.:

105 ILCS 5/10-6 and 5/10-16.

5 ILCS 120/2.06, Open Meetings Act.

CROSS REF.: 2:220 (Board of Education Meeting Procedure), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

Adopted: July 21, 2022

Leyden CHSD 212

2:240 Board Policy Development

The Board of Education governs using written policies. Written policies ensure legal compliance, establish Board processes, articulate District ends, delegate authority, and define operating limits. Board policies also provide the basis for monitoring progress toward District ends.

Policy Development

The Superintendent is responsible for: (1) providing relevant policy information and data to the Board, (2) notifying those who will implement or be affected by or required to implement a proposed policy and obtaining their advice and suggestions, and (3) having policy recommendations drafted into written form for Board deliberation. The Superintendent shall seek the counsel of the Board attorney when appropriate.

Policy Adoption and Dissemination

Policies or policy revisions will not be adopted at the Board meeting at which they are first introduced, except when necessary or prudent in order to meet emergency or special conditions or to be legally compliant. Further Board consideration may be given at a subsequent meeting(s) and after opportunity for community input. The adoption of a policy will serve to supersede all previously adopted policies on the same topic.

The Board of Education policies are available for public inspection in the District's main office during regular office hours. Copy requests should be made pursuant to Board policy 2:250, *Access to District Public Records*.

Board Policy Review and Monitoring

The Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required. The Board may use an annual policy review and monitoring calendar.

Words Importing Gender

Throughout this policy manual, words importing the masculine and/or feminine gender include all gender neutral/inclusive pronouns.

Superintendent Implementation

The Board will support any reasonable interpretation of Board of Education policy made by the Superintendent. If reasonable minds differ, the Board will review the applicable policy and consider the need for further clarification.

In the absence of Board of Education policy, the Superintendent is authorized to take appropriate action.

Suspension of Policies

The Board, by a majority vote of members present at any meeting, may temporarily suspend a Board policy except those provisions that are controlled by law or contract. The failure to suspend with a specific motion does not invalidate the Board action.

LEGAL REF.:

105 ILCS 5/10-20.5.

CROSS REF.: 2:150 (Committees), 2:250 (Access to District Public Records), 3:40 (Superintendent),

7:180 (Preventing Bullying, Intimidation, and Harassment)

Adopted: September 16, 2021

Leyden CHSD 212

2:240-E1 Exhibit - PRESS Issue Updates

This procedure is for **PRESS** subscribers. For subscribers to **PRESS Plus**, IASB's full-maintenance policy update service, the **PRESS Plus** Online User Guide, available at www.iasb.com/policy, provides further guidance.

Actor	Action
Superintendent	<p>Manages the process for the Board of Education to receive PRESS updates to policies.</p> <p>Manages the Board's compliance with the Open Meetings Act. Ensures that, as appropriate, the agendas for the Board Policy Committee and Board include discussion and list action to consider, adopt, or revise Board policies and Board exhibits.</p> <p>Manages the process for approving new or revised administrative procedures, administrative procedure exhibits, and changes to employee and student handbooks.</p> <p>Communicates all policy and administrative procedure revisions or adoptions, as appropriate, to staff members, parents, students, and community members.</p>
Superintendent or Superintendent's Secretary	<p>Updates the District's <i>Roster</i> as follows:</p> <ol style="list-style-type: none"> 1. Go to www.iasb.com and click on the Member Login button. 2. Log in using your email address and password. If you do not know your password, use the "forgot your password?" link. 3. At the bottom of your Profile page, click on Districts You Manage and then the District name. 4. Review and verify or change the District's existing records. Ensure that all current board members, administrators, and anyone else on staff who accesses PRESS are listed with their current email addresses.
Designated support staff	<p>Logs in to PRESS Online as follows:</p> <ol style="list-style-type: none"> 1. Go to www.iasb.com and click on the Member Login button. 2. Log in using your email address and password. If you do not know your password, use the "forgot your password?" link. 3. Under "My Account Links," click "PRESS Login." <p>To each member of the Policy Committee, full Board, or other interested school official, emails or otherwise distributes the following:</p> <ol style="list-style-type: none"> 1. PRESS Update Memo; 2. PRESS video tutorial link at: www.iasb.com/policy; 3. Committee worksheets; and 4. Current District policy in relevant areas. <p>As appropriate, includes new and revised policies in the Board meeting</p>

	<p>packets.</p> <p>After a policy is adopted or revised, updates the District's policy manual master electronic file and adds or updates adoption dates.</p> <p>Archives previous version of revised policy.</p> <p>Follows district process for updating paper and online manuals.</p> <p>Considers distributing PRESS Update Memo to Building Principals.</p>
Policy Committee (or Full Board)	<p>Considers each PRESS update. Reviews all footnote changes.</p> <p>Decides which changes require Board discussion and which are appropriate as consent agenda items.</p> <p>The following are appropriate for the consent agenda: changes to the Legal References and Cross References, and minor policy edits that do not require Board discussion.</p> <p>Requests review of recommended revisions by the Board Attorney, as appropriate.</p> <p>Presents recommendations regarding PRESS updates to the Board at a regularly scheduled meeting.</p>
Full Board	<p>Conducts a first reading of the policies that are recommended for adoption or revision.</p> <p>During the next regular meeting, conducts a second reading.</p> <p>A second reading allows the Board to hear feedback from interested parties, including staff, parents, students, and community members; however, State law does not require two readings.</p> <p>After the second reading, consider and take action to approve the policies at a duly convened open meeting.</p>
Assistant Superintendents, Directors, Building Principals, and supervisory employees	<p>Reads PRESS Update Memo (if applicable) and adopted policies, follows the Superintendent's process for updating administrative procedures, and makes necessary changes to employee and student handbooks within their assigned building(s).</p>
Anyone	<p>For further clarification, view the online tutorial for PRESS, available at www.iasb.com/policy.</p>

DATED : September 16, 2021

2:240-E2 Exhibit - Developing Local Policy

Actor	Action
Anyone (Superintendent, Board of Education member, staff, parent, student, community member, or Board Attorney)	Brings a concern that may necessitate a new policy or a current policy's revision to the attention of the Board of Education.
Superintendent	<p>Confers with the Board Attorney as appropriate.</p> <p>Manages the Board's compliance with the Open Meetings Act. Ensures that, as appropriate, the agendas for the Board Policy Committee and Board include discussion and list action to consider, adopt, or revise Board policies and Board exhibits.</p> <p>Manages the process for approving new or revised administrative procedures, administrative procedure exhibits, and changes to employee and student handbooks.</p> <p>Communicates all policy and administrative procedure revisions or adoptions as appropriate to staff members, parents, students, and community members.</p>
Policy Committee (or Full Board)	<p>First, answers these questions to decide whether new policy language is needed:</p> <ol style="list-style-type: none"> 1. Does the IASB Policy Reference Manual provide guidance? 2. Is the request something that should be covered in policy (i.e., Board work) or is it something that should be handled by the staff (i.e., staff work)? 3. Is it already covered in policy? Checks for policies that cover similar or connected topics using tools such as search engines, Tables of Contents, cross references, and indexes. <p>Second, uses a 3-step process to draft new policy language:</p> <ol style="list-style-type: none"> 1. Frames the question and discusses the topic. 2. Requests the Superintendent to provide research, including appropriate data, and input from others, such as, those who may be affected by the policy and those who will implement the policy. 3. Drafts or requests the Superintendent or Board Attorney to draft language addressing the concern that aligns with the Board's mission, vision, goals, and objectives. <p>Third, decides whether the new language should be included in an existing policy or added as a new policy. Assigns any new policy an appropriate location and number.</p> <p>The PRESS coding system reserves policy numbers ending in a '0' and '5' for PRESS material. Locally developed District policies</p>

	should use policy numbers ending in 2, 4, 6, or 8.
Full Board	<p>Conducts a first reading of the policy that is recommended for adoption or revision.</p> <p>During the next regular meeting, conducts a second reading.</p> <p>A second reading allows the Board to hear feedback from interested parties, including staff, parents, students, and community members; however, State law does not require two readings.</p> <p>After the second reading, consider and take action to approve the policies at a duly convened open meeting.</p>
Designated support staff	<p>After a policy is adopted or revised, updates the District's policy manual master electronic file and adds or updates adoption dates.</p> <p>Archives previous version of revised policy.</p> <p>Follows district process for updating paper and online manuals.</p>
Assistant Superintendents, Directors, Building Principals, and supervisory employees	<p>Reads PRESS Update Memo (if applicable) and adopted policies, follows the Superintendent's process for updating administrative procedures, and makes necessary changes to employee and student handbooks within their assigned building(s).</p>

DATED : September 16, 2021

Leyden CHSD 212

2:250 Access to District Public Records

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

Freedom of Information Officer

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

Definition

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

Requesting Records

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

Responding to Requests

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

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

Within five business days after receipt of a request for access to a public record, the Freedom of Information Officer shall comply with or deny the request, unless the time for response is extended as specified in Section 3 of FOIA. The Freedom of Information Officer may extend the time for a response for up to five business days from the original due date. If an extension is needed, the Freedom of Information Officer shall: (1) notify the person making the request of the reason for the extension, and (2) either inform the person of the date on which a response will be made, or agree with the person in writing on a compliance period.

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

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

Fees

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

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

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

Provision of Copies and Access to Records

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

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

Preserving Public Records

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the District's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g., a litigation hold), District auditor, or other individual authorized by the School Board or State or federal law to make such a request. Unless its retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission.

LEGAL REF.:

5 ILCS 140/, Illinois Freedom of Information Act.

105 ILCS 5/10-16 and 5/24A-7.1.

820 ILCS 40/11.

820 ILCS 130/5.

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

Adopted: January 19, 2023

Leyden CHSD 212

2:260 Uniform Grievance Procedure

A student, parent/guardian, employee, or community member has the right to report or file a complaint, that the School Board, its employees, or its agents have violated the rights of any student, parent/guardian, employee, or community member guaranteed by the State or federal Constitution, State or federal statute, or Board policy, including, any one of the following:

1. Title II of the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.
2. Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., excluding Title IX sexual harassment complaints addressed under policy 2:265, *Title IX Sexual Harassment Grievance Policy*
3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
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 Act, 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. (Title IX sexual harassment complaints are addressed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*)
7. Breastfeeding accommodations for students, 105 ILCS 5/10-20.60
8. Bullying, 105 ILCS 5/27-23.7
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
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/
15. Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, 410 ILCS 513/; and Titles I and II of the Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
16. Employee Credit Privacy Act, 820 ILCS 70/.

If the reporting party is different than the party alleged to have been the victim of the misconduct, the person who is the alleged victim of the misconduct (the "Complainant") will typically be the person entitled to the rights for the Complainant outlined in this policy, including the right to participate in the processes outlined in this policy. In the rare circumstances in which the reporting party has rights recognized by law or Board policy, the reporting party also will be a "Complainant" under this policy and will have all related rights.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc., although temporary delays may be warranted in the discretion of the District, particularly for concurrent law enforcement investigations. 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 person is pursuing another remedy based on the same or similar operative facts as a complaint under this policy, the District has the discretion to continue with a simultaneous investigation under this policy and will do so in all cases required by law.

Deadlines

If a report is made or a complaint is filed under this policy, a Nondiscrimination Coordinator, Complaint Manager or designee will address the complaint promptly and equitably. All deadlines under this policy may be extended by the Complaint Manager as deemed appropriate. As used in this policy, *school business days* means days on which the District's main office is open.

Informal Resolution

The Nondiscrimination Coordinator or Complaint Manager has the discretion to attempt to resolve reports and complaints of misconduct covered by this policy informally without resorting to the grievance procedures in this policy. Parties to reports or complaints under this policy must voluntarily agree to engage in any informal resolution, may refuse any offer of informal resolution, and may withdraw from any informal resolution process at any time prior to an agreement being reached. The District does not require Complainants to attempt to resolve allegations directly with individuals accused of misconduct (the "Respondent") or their representatives.

Reports and Complaints

To request use of this grievance procedure, a person should make a report or file a complaint with a District Nondiscrimination Coordinator or Complaint Manager. No person is required to make a report or file a complaint with a particular Nondiscrimination Coordinator or Complaint Manager; individuals may request to speak to a Nondiscrimination Coordinator or Complaint Manager of the same gender. Any employee who receives a report or complaint of conduct covered by this policy must report the conduct to the Nondiscrimination Coordinator or Complaint Manager. For reports, the Nondiscrimination Coordinator, Complaint Manager, or designee may request a written statement and/or completion of a written complaint form regarding the report. The Nondiscrimination Coordinator, Complaint Manager, or designee may require a meeting with the Complainant and/or their parent(s)/guardian(s) in relation to a report or complaint.

The following grievance process will be used to address complaints of misconduct covered by this policy unless another policy or document, including a collective bargaining agreement, prescribes a different complaint process for the conduct or concern at issue. In some cases, the Nondiscrimination Coordinator, Complaint Manager, or designee must consider other applicable policies when addressing complaints of misconduct covered by this policy, for example:

- Board policy 7:180, addressing complaints of bullying, intimidation, and harassment, (when this policy and policy 7:180 are implicated, the reasonable timeframe for completing the investigation will be the timeframes under this policy)
- Board policy 5:20, addressing workplace harassment
- Board policy 5:90, addressing reporting under the Abused and Neglected Child Report Act ("ANCRA")
- Board policy 7:190, addressing procedures required for suspensions and expulsions

Intake Process

If attempts at informal resolution are not successful or appropriate, the Nondiscrimination Coordinator, Complaint Manager, or designee will offer the Complainant an opportunity to file a complaint under this policy. The Nondiscrimination Coordinator, Complaint Manager or designee will notify the Complainant and any applicable witnesses of any limitations on confidentiality, including that if the District has notice of prohibited conduct that creates a risk for students, employees or other members of the District community other than the Complainant, or if sharing the identity of the Complainant or witness is necessary to complete an investigation into a complaint, the District may not be able to respect a request to maintain the confidentiality of the Complainant. The complaint and identity of the Complainant and any witnesses will not be disclosed except: (1) as required by law or this policy, (2) as necessary to fully investigate the complaint or implement interim measures, or (3) as authorized by the relevant person (Complainant or witness).

If a complaint is filed, the Nondiscrimination Coordinator, Complaint Manager, or designee will consider whether the conduct, if true, would be conduct covered by this policy. If so, the Nondiscrimination Coordinator, Complaint Manager, or designee will investigate the complaint or appoint another qualified individual to investigate the matter.

If no complaint is filed, the Nondiscrimination Coordinator, Complaint Manager, or designee will consider whether to open an investigation even without the filing of a complaint. An investigation may be warranted if the reported conduct involves allegations against an employee, multiple allegations against the same alleged perpetrator, or creates a risk to the safety of the general District community.

Investigation Process

During an investigation, the Nondiscrimination Coordinator, Complaint Manager, or designee assigned to conduct the investigation (the "investigator") will provide both parties an equal opportunity to present evidence. If a party or witness is a student under 18 years of age, the investigator has the discretion to include the student's parent(s)/guardian(s) during investigatory meetings involving the student. Nothing herein limits the right of school employees to hold investigatory meetings with students under the right of *in loco parentis*.

The investigator will inform, at regular intervals, the parties about the status of the investigation.

Within 60 school business days after the date the complaint was filed, the Investigator will prepare a written document summarizing the investigation and the investigator's recommendations. All decisions will be based upon the *preponderance of evidence* (more likely than not) standard.

For minor infractions, which are matters of a severity which, for example, (for students) typically would be handled by a student's teacher or Assistant Principal/Dean of Students or (for employees) an employee's direct supervisor, the investigator's summary can be informal (such as, for students, a suspension notice).

For more serious infractions, which are matters of a severity that (for both students and employees) typically are escalated to the building principal or a District administrator for resolution, the investigator's summary should be in the form of an investigation report. If the investigation is completed by someone other than the Nondiscrimination Coordinator or Complaint Manager, the Investigator will submit the report to the Nondiscrimination Coordinator, Complaint Manager, or designee, who will review the report to confirm if the matter is a more serious infraction. If the Nondiscrimination Coordinator, Complaint Manager, or designee disagrees with the Investigator's assessment that the matter is a more serious infraction, the matter will be returned to the building level for processing as a minor infraction.

If the Nondiscrimination Coordinator, Complaint Manager, or designee agrees that the matter is a more serious infraction, the Nondiscrimination Coordinator or Complaint Manager will forward the Investigator's report to the Superintendent for review. If the complaint contains allegations involving the Superintendent or one or more Board members, the report will be forwarded to the President of the Board for Board review.

Decision and Appeal

Within five school business days after receiving the Investigator's report for a more serious infraction, the Superintendent (or the Board, if the complaint contains allegations involving the Superintendent or one or more Board members) will mail a written determination to the Complainant and the Respondent registered mail, return receipt requested, and/or personal delivery as well as to the Complaint Manager. All decisions will be based upon the *preponderance of evidence* (more likely than not) standard.

Within 10 school business days after receiving the Superintendent's (or Board's) decision, the

Complainant or the Respondent may appeal the decision to the Board of Education by making a written request to the Nondiscrimination Coordinator or Complaint Manager. Upon receipt of an appeal, the Nondiscrimination Coordinator, Complaint Manager, or designee, shall promptly forward materials relevant to the complaint to the Board .

Within 30 school business days after receipt of an appeal of the Superintendent's (or Board's) decision, the Board or a designee will affirm, reverse, or amend the Superintendent's (or Board's) decision or direct the Superintendent (or Board) to reopen the investigation process for gathering additional information. If the investigation is reopened, a new Investigator report, Superintendent written determination, and opportunity to appeal will be provided. Within five school business days after the Board's appeal decision, the Board or a designee, will mail its written appeal decision to the Complainant and the Respondent by registered mail, return receipt requested, and/or personal delivery with a copy to the Investigator.

For matters involving controversies arising under Illinois school law, the parties may have rights to appeal the School Board's decision to the Regional Superintendent pursuant to Section 3-10 of The School Code and, thereafter, to the State Superintendent pursuant to Section 2-3.8 of The School Code.

This policy will not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the procedures and other timelines in this grievance procedure does not automatically prejudice a party or impact the outcome of the process..

Appointing a Nondiscrimination Coordinator and Complaint Managers

The Superintendent will appoint a Nondiscrimination Coordinator to manage the District's compliance with this policy. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

The Superintendent will appoint at least one Complaint Manager to administer the 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 will insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

Nondiscrimination Coordinator:

Dr. Tatiana Bonuma

3400 Rose St., Franklin Park, IL 60131

tbonuma@leyden212.org

847-451-3021

Complaint Managers:

Dr. Dominic Manola

3400 Rose St., Franklin Park, IL 60131

dmanola@leyden212.org

847-451-3023

Mr. Arturo Senteno

1000 N. Wolf Rd., Northlake, IL 60164

asenteno@leyden212.org

847-451-3154

LEGAL REF.:

8 U.S.C. §1324a et seq., Immigration Reform and Control Act.

20 U.S.C. §1232g, Family Education Rights Privacy Act.

20 U.S.C. §1400, The Individuals with Disabilities Education Act.

20 U.S.C. §1681 et seq., Title IX of the Education Amendments; 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. §791 et seq., Rehabilitation Act of 1973.

29 U.S.C. §2612, Family and Medical Leave Act.

42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act.

42 U.S.C. §2000e et seq., Equal Employment Opportunities Act (Title VII of the Civil Rights Act).

42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act.

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

42 U.S.C. §12101 et seq., Americans With Disabilities Act.

105 ILCS 5/2-3.8, 5/3-10, 5/10-20, 5/10-20.5, 5/10-20.7a, 5/10-20.60, 5/10-20.69 5/10-20.75 (final citation pending), 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.

5 ILCS 415/10(a)(2), Government Severance Pay Act.

5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.

410 ILCS 513/, Ill. Genetic Information Privacy Act.

740 ILCS 174/, Whistleblower Act.

740 ILCS 175/, Ill. False Claims Act.

775 ILCS 5/, Ill. Human Rights Act.

820 ILCS 180/, Victims' Economic Security and Safety Act; 56 Ill.Admin.Code Part 280.

820 ILCS 112/, Equal Pay Act of 2003.

820 ILCS 70/, Employee Credit Privacy Act, 70/10(b), and 70/25

23 Ill.Admin.Code §§1.240, 200.40, 226.50, and 226.570.

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), 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), 7:315 (Restrictions on Publications; High Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and Concerns)

Adopted: July 21, 2022

2:265 Title IX Sexual Harassment Policy

As required by Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106), the District does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX concerning everyone in the District's education programs and activities, including with applicants for employment, students, parents/guardians, employees, and third parties.

Title IX Sexual Harassment Prohibited

Sexual harassment as defined in the Title IX implementing regulations ("*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:

1. A District employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
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)(11), *domestic violence* as defined in 34 U.S.C. §12291(a)(12), or *stalking* as defined in 34 U.S.C. §12291(a)(36).

Examples of *Title IX Sexual Harassment* can 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 *Title IX Sexual Harassment*.

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 *Title IX Sexual Harassment* occurs.

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

Respondent means an individual who has been reported to be the perpetrator of the conduct that could constitute *Title IX Sexual Harassment*.

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.

Title IX Sexual Harassment Prevention and Response

The District's Title IX Coordinator, identified in Board policy, or designee will oversee the District's efforts to prevent and respond to allegations of *Title IX Sexual Harassment* which shall include the following, at minimum:

1. The District's comprehensive health education program in Board policy 6:60, *Curriculum Content*, will incorporate (a) age-appropriate sexual abuse and assault awareness and prevention programs in grades pre-K through 12, and (b) age-appropriate education about the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12. 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. The District will incorporate education and training for school staff as required by law or, at the Superintendent and Title IX Coordinator's discretion, recommended by the Superintendent, Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager.
3. The District will notify applicants for employment, students, parents/guardians, employees, and collective bargaining units of its nondiscrimination policy, contact information for the Title IX Coordinator (s), investigator(s), decisionmaker(s), and informal resolution facilitator(s) by, at a minimum, prominently displaying such information and materials on the District's website, if any, and in each handbook made available to such persons.

Making a Report or Inquiry

A person who wishes to make a report of *Title IX Sexual Harassment* is encouraged to do so to the Title IX Coordinator, Building Principal, Assistant Building Principal, Dean of Students/Assistant Principal, , or teacher. A person who wishes to make a report may choose to report to a person of the same gender and to any employee of the District.

School employees must promptly forward any report of or information about suspected *Title IX Sexual Harassment* to the Title IX Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.

Inquiries about Title IX, its implementing regulations, or any policy or procedure prohibiting *Title IX Sexual Harassment* may be directed to the Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights (OCR) at (312) 730-1560 or OCR.Chicago@ed.gov.

The Superintendent shall insert into this procedure and keep current the name, office address, email address, and telephone number of the Title IX Coordinator.

Title IX Coordinator:

Dr. Tatiana Bonuma

3400 Rose Street, Franklin Park, IL 60131

tbonuma@leyden212.org

847-451-3021

Any person may report sex discrimination under Title IX, including *Title IX Sexual Harassment* (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination under Title IX or *Title IX Sexual Harassment*), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address or by mail to the office address, listed for the Title IX Coordinator.

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*.

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. For any report received, the Title IX Coordinator shall at a minimum review Board policies 2:260, *Uniform Grievance Procedure*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 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 under those policies.

Reports of alleged *Title IX 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.

Formal Title IX Sexual Harassment Complaint Grievance Process

When a *Formal Title IX Sexual Harassment Complaint* is filed, the Title IX Coordinator shall implement this Title IX Grievance Process for all *Formal Title IX Sexual Harassment Complaints* which process fully complies with the Title IX implementing regulations, at 34 C.F.R. §106.45.

The Superintendent or designee shall implement administrative procedures or regulations that, at a minimum:

1. Require the Title IX Coordinator to investigate all *Formal Title IX Sexual Harassment Complaints* or appoint a qualified person to undertake the investigation using a Title IX grievance process that fully complies with 34 C.F.R. §106.45.
2. Treat *Complainants* and *Respondents* equitably by providing remedies to a *Complainant* where the *Respondent* is determined to be responsible for *Title IX Sexual Harassment*, and by following a grievance process that complies with the Title IX implementing regulations 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a *Respondent*.
3. 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.
4. 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 *Title IX 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.
5. 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.
6. 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.

7. 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.
8. Include reasonably prompt timeframes for conclusion of the grievance process.
9. Describe the range of possible disciplinary sanctions and remedies the District may implement following any determination of responsibility.
10. Base all decisions upon the *preponderance of evidence* standard.
11. Include the procedures and permissible bases for the *Complainant* and *Respondent* to appeal.
12. Describe the range of *supportive measures* available to *Complainants* and *Respondents*.
13. 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.

Enforcement

Any District employee who is determined, at the conclusion of the grievance process, to have engaged in *Title IX Sexual Harassment* will be subject to disciplinary action up to and including discharge consistent with any applicable laws, policies, or agreements addressing procedures for implementing employee discipline. Any third party who is determined, at the conclusion of the grievance process, to have engaged in *Title IX 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 *Title IX Sexual Harassment* will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with any applicable laws, policies, or procedures addressing procedures for implementing student discipline. Any person making a knowingly false accusation regarding *Title IX 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.

Retaliation Prohibited

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*.

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; Code of Professional 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)

Adopted: January 19, 2023

Leyden CHSD 212

2:265-E Exhibit - Title IX Sexual Harassment Glossary of Terms

Use this exhibit to educate employees and students about Title IX terms, and with the required Title IX response and grievance process in Board policy 2:265, *Title IX Sexual Harassment Grievance Policy*, implemented by administrative procedure 2:265-AP2, *Formal Title IX Sexual Harassment Complaint Grievance Process*.

Glossary of Terms

Actual Knowledge - Notice of sexual harassment or allegations of sexual harassment to any district employee or to the District's Title IX Coordinator. Assumption of knowledge based solely on the District's status as an employer or other presumption under law does not constitute actual knowledge. This standard is not met when the only official of the District with actual knowledge is the Respondent. *Notice* as used here includes, but is not limited to, a report of complaint of sexual harassment to the Title IX Coordinator in person, by mail, by telephone, or by email using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. 34 C.F.R. §§106.30, 106.8(a)

Appellate Decision-Maker - An individual or group, e.g., a Board-appointed appeal examiner or the Board, which reviews an appeal of the Initial Decision-Maker's determination regarding responsibility or a dismissal of a Formal Title IX Sexual Harassment Complaint (defined below). The Appellate Decision-Maker cannot be the same person as the Initial Decision-Maker, the Investigator, or the Title IX Coordinator. 34 C.F.R. §106.45(b)(8)(iii)(B). The Appellate Decision-Maker must be free from conflicts of interest or bias against complainants and respondents generally or against an individual Complainant or Respondent, and must be trained to serve impartially. 34 C.F.R. §106.45(b)(1)(iii).

Complainant - An individual who is alleged to be the Complainant of conduct that could constitute sexual harassment. 34 C.F.R. §106.30.

Consent - Knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Consent may not be inferred from silence, passivity, or a lack of verbal or physical resistance. A person's manner of dress does not constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be resumed to be consent for other sexual activity (such as intercourse). Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person. Consent may be withdrawn at any time. A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstance, including without limitation the following: (1) the person is incapacitated due to the use or influence of alcohol or drugs; (2) the person is asleep or unconscious; (3) the person is under age; or (4) the person is incapacitated due to a mental disability. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred. Coercion, force, or the threat of either invalidates consent.

Note: 34 C.F.R. §106.30, added at 85 Fed. Reg. 30574, states that Title IX recipients are not required to adopt a particular definition of consent with respect to sexual assault; however, in its 2020 Title IX rulemaking, the U.S. Dept. of Education (DOE) stated that "recipients must clearly define consent and must apply that definition consistently." 85 Fed. Reg. 30125. **Consult the Board Attorney if the District would like to customize this definition.**

Education Program or Activity - Includes locations, events, or circumstances in the United States over which the District exercised substantial control over both the Respondent and the context in which the sexual harassment occurred. 34 C.F.R. §106.44(a).

Note: Title IX jurisdiction is geographically limited to discrimination against a person in the United States. 34 C.F.R. §106.8(d). The District's Title IX obligations extend to off-campus

sexual harassment incidents "if the off-campus incident occurs as part of the [district]'s 'operations' pursuant to 20 U.S.C. 1687 and 34 CFR 106.2(h)" or if the District "exercised substantial control over the respondent and the context of alleged sexual harassment that occurred off campus pursuant to §106.44(a)." 85 Fed. Reg. 30196. No single factor is determinative of whether the District exercised *substantial control* or whether an incident occurred as part of the District's *operations*. *Id.* at 30197. *Operations* may include computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in, the District's operations. *Id.* at 30202. **Consult the Board Attorney for further guidance.**

Formal Title IX Sexual Harassment Complaint - A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation. At the time of filing a Formal Title IX Sexual Harassment Complaint, a Complainant must be participating in or attempting to participate in the District's education program or activity with which the Formal Title IX Sexual Harassment Complaint is filed.

Note: Whether a Complainant is *attempting to participate* is a fact-specific inquiry. For example, a Complainant who has graduated may still be attempting to participate in an education program where he or she intends to remain involved in alumni programs or activities. 85 Fed. Reg. 30138. **Consult the Board Attorney for further guidance.**

Initial Decision-Maker - An individual designated by the Title IX Coordinator to reach an initial determination regarding responsibility in a Formal Title IX Sexual Harassment Complaint (defined above) by applying the standard of proof set forth in 2:265-AP2, *Formal Title IX Sexual Harassment Complaint Grievance Process*. See 85 Fed. Reg. 30054. The Title IX Coordinator cannot be the Initial Decision-Maker. 34 C.F.R. §106.45(b)(7)(i). The Initial Decision-Maker must be free from conflicts of interest or bias against complainants and respondents generally or against an individual Complainant or Respondent, and must be trained to serve impartially. 34 C.F.R. §106.45(b)(1)(iii).

Investigator - The Title IX Coordinator or an individual designated by the Title IX Coordinator to investigate a *Formal Title IX Sexual Harassment Complaint* (defined above) according to 2:265-AP2, *Formal Title IX Sexual Harassment Complaint Grievance Process*. The Investigator must be free from conflicts of interest or bias against complainants and respondents generally or against an individual Complainant or Respondent, and must be trained to serve impartially. 34 C.F.R. §106.45(b)(1)(iii).

Respondent - An individual who has been reported to be the perpetrator of the conduct that could constitute sexual harassment. 34 C.F.R. §106.30.

Supportive Measures - Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a Complainant or 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. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's education environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work? locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The District will maintain as confidential any supportive measures provided to a Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. 34 C.F.R. §106.30.

Sexual Harassment Governed by Laws Other Than Title IX - The District must also address

sexual harassment that does not meet the definition of Title IX sexual harassment, including but not limited to sexual harassment in violation of the State Officials and Employees Ethics Act (5 ILCS 430/), Illinois Human Rights Act (775 ILCS 5/), and Title VII of the Civil Rights Act of 1964 (42 U.S.C. §2000e *et seq.*).

For each report or complaint received, the Title IX Coordinator will consider whether any of the Board policy requires action by the District in addition to or at the exclusion of policy 2:265, *Title IX Sexual Harassment Grievance Procedure*:

Title IX Sexual Harassment - Conduct on the basis of sex that satisfies one or more of the following (34 C.F.R. §106.30):

- A District employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (employee *quid pro quo*); or
- 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 education program or activity (often referred to as a *Title IX hostile environment*); or
- *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).

For employee *quid pro quo*, *sexual assault*, *dating violence*, *domestic violence*, and *stalking*, it is not necessary to allege that conduct was sufficiently "severe" or "pervasive" to be covered under Title IX; each of these forms of sexual misconduct will constitute a per se incident of sexual harassment.

Sexual Assault - means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system (UCR Program) of the Federal Bureau of Investigation (FBI), and includes rape, fondling, incest, and statutory rape. 20 U.S.C. §1092(f)(6)(A)(v); 34 C.F.R. Part 668, Appendix A to Subpart D. For more information regarding the FBI UCR Program, see www.fbi.gov/services/cjis/ucr/. In the Preamble to the Rule at page 547, footnote 791, the Department explains:

The FBI UCR, in turn, consists of two crime reporting systems: The Summary Reporting System (SRS) and the National Incident-Based Reporting System (NIBRS). U.S. Dep't. of Justice, Criminal Justice Information Services, SRS to NIBRS: The Path to Better UCR Data (Mar. 28, 2017). The current Clery Act regulations, 34 CFR 668.46(a), direct recipients to look to the SRS for a definition of rape and to NIBRS for a definition of fondling, statutory rape, and incest as the offenses falling under "sexual assault." The FBE has announced it will retire the SRS and transition to using only the NIBRS in January 2021. Federal Bureau of Investigation, Criminal Justice Information Services, Uniform Crime Reporting (UCR) Program, National Incident-Based Reporting System (NIBRS), <https://www.fbi.gov/services/cjis/ucr/nibrs>. NIBRS' forcible and nonforcible sex offenses consist of: rape, sodomy, and sexual assault with an object (as well as fondling, statutory rape, and incest, as noted above). Thus, reference to the Clery Act will continue to cover the same range of sex offenses under the FBI UCR regardless of whether or when the FBE phases out the SRS.

The definition of Rape under the SRS is the following: "Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant."

Although the Title IX Rule does not require schools to choose between the SRS and NIBRS, because the FBI is retiring the SRS on January 1, 2021, and the FBI has encouraged users to transition to the NIBRS now, the NIBRS sex offenses, including the definition of rape, are listed below.

"Sex Offenses" under the NIBRS refers to any sexual act including Rape, Sodomy, Sexual Assault

With An Object, or Fondling directed against another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent, as well as the "nonforcible" sex offenses of Incest and Statutory Rape. The NIBRS offers the following definitions of sex offenses:

- **Rape** - (Except Statutory Rape) The carnal knowledge of a person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Sodomy** - Oral or anal sexual intercourse with another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault With An Object** - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Fondling** -The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the Complainant, including instance where the Complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Incest** - Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Conduct meeting the definition of any of these sex offenses falls under the new Title IX Rule's definition of "sexual assault" as a type of sexual harassment.

Note that several of the FBI UCR sex offenses that must be considered "sexual assault" involve the element of lack of consent of the Complainant. See the definition of "consent" above.

Dating violence means violence committed by a person: (1) who is or has been in a social relationship of a romantic or intimate nature with the Complainant, and (2) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. 34 U.S.C. §12291(a)(10).

Violence between people who are in a dating relationship is covered by Title IX and individuals have the right under Title IX to report dating violence taking place in a relationship.

Domestic violence includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. 34 U.S.C. §12291(a)(8).

Violence between people who are in a domestic relationship is covered by Title IX and individuals have the right under Title IX to report violence between people in a relationship.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for his or her safety or the safety of others, or (2) suffer substantial

emotional distress. 34 U.S.C. §12291(a)(30).

The new Title IX Rule covers instances of stalking based on sex, including stalking that occurs online or through messaging platforms, commonly known as cyber-stalking, when it occurs in the school's education program or activity.

DATED : January 21, 2021

Leyden CHSD 212

SECTION 3 - GENERAL SCHOOL ADMINISTRATION

Leyden CHSD 212

3:10 Goals and Objectives

The Superintendent directs the administration in order to manage the School District and to facilitate the implementation of a quality educational program in alignment with Board of Education policy 1:30, *School District Philosophy*. Specific goals and objectives are to:

1. Provide educational expertise.
2. Plan, organize, implement, and evaluate educational programs that will provide for students' mastery of the Illinois Learning Standards.
3. Meet or exceed student performance and academic improvement goals established by the Board.
4. Develop and maintain channels for communication between the school and community.
5. Develop an administrative procedures manual and handbooks for personnel and students that are aligned with Board policy.
6. Manage the District's fiscal and business activities to ensure financial health, cost-effectiveness, and protection of the District's assets.
7. Provide for the proper use, reasonable care, and appropriate maintenance of the District's real and personal property, including buildings, equipment, and supplies.

LEGAL REF.:

105 ILCS 5/10-16.7, 5/10-21.4, and 5/10-21.4a.

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the Board of Education; Indemnification), 2:130 (Board Superintendent Relationship), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 6:10 (Educational Philosophy and Objectives)

Adopted: January 19, 2023

Leyden CHSD 212

3:30 Chain of Command

The Superintendent shall develop an organizational chart indicating the channels of authority and reporting relationships for school personnel. These channels should be followed, and no level should be bypassed except in unusual situations.

All personnel should refer matters requiring administrative action to the responsible administrator, and may appeal a decision to a higher administrative officer. Whenever possible, each employee should be responsible to only one immediate supervisor. When this is not possible, the division of responsibility must be clear.

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:140 (Communications To and From the Board)

Adopted: September 16, 2021

Leyden CHSD 212

3:40 Superintendent

Duties and Authority

The Superintendent is the District's executive officer and is responsible for the administration and management of the District schools in accordance with Board of Education policies and directives, and State and federal law. District management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law, including the special reporting responsibilities in policy 5:90, *Abused and Neglected Child Reporting*. The Superintendent is authorized to develop administrative procedures and take other action as needed to implement Board policy and otherwise fulfill his or her responsibilities. The Superintendent may delegate to other District staff members the exercise of any powers and the discharge of any duties imposed upon the Superintendent by Board of Education policies or by Board vote. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action that was delegated.

Qualifications

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

Evaluation

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

Compensation and Benefits

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

LEGAL REF.:

105 ILCS 5/10-16.7, 5/10-20.47, 5/10-21.4, 5/10-21.9, 5/10-23.8, 5/21B-20, 5/21B-25, 5/24-11, and 5/24A-3.

5 ILCS 120/7.3, Open Meetings Act.

23 Ill.Admin.Code §§1.310, 1.705, and 25.355.

CROSS REF: 2:20 (Powers and Duties of the Board of Education; Indemnification), 2:130 (Board-Superintendent Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:290 (Employment Termination and Suspensions)

Adopted: January 20, 2022

Leyden CHSD 212

3:50 Administrative Personnel Other Than the Superintendent

Duties and Authority

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

Qualifications

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

Evaluation

The Superintendent or designee shall evaluate all administrative personnel and make employment and salary recommendations to the Board of Education.

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

Administrative Work Year

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

Compensation and Benefits

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

The Board of Education will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board of Education in such a timely manner that will allow the Board to consider renewal issues.

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

LEGAL REF:

105 ILCS 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, 5/21B, and 5/24A.

23 Ill.Admin.Code §§1.310, 1.705, and 50.300; and Parts 25 and 29.

CROSS REF: 3:60 (Administrative Responsibility of the Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:250 (Leaves of Absence), 5:290 (Employment Termination and Suspensions)

Adopted: January 20, 2022

Leyden CHSD 212

3:60 Administrative Responsibility of the Building Principal

Duties and Authority

The Board of Education, upon the recommendation of the Superintendent, employs Building Principals as the chief administrators and instructional leaders of their assigned schools, and may employ Assistant Principals. The primary responsibility of a Building Principal is the improvement of instruction. Each Building Principal shall perform all duties as described in State law as well as such other duties as specified in his or her employment agreement or as the Superintendent may assign, that are consistent with the Building Principal's education and training.

Each Building Principal and Assistant Principal shall complete State law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal.

Evaluation Plan

The Superintendent or designee shall implement an evaluation plan for Principals and Assistant Principals that complies with Section 24A-15 of the School Code and relevant Illinois State Board of Education rules. Using that plan, the Superintendent or designee or, in the absence of the Superintendent or his or her designee, an individual appointed by the Board who holds a valid professional educator license endorsed for superintendent. The Superintendent or designee may conduct additional evaluations.

Qualifications and Other Terms and Conditions of Employment

Qualifications and other terms and conditions of employment are found in Board policy 3:50, *Administrative Personnel Other Than the Superintendent*.

LEGAL REF.:

105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, and 5/24A-15.

10 ILCS 5/4-6.2, Election Code.

105 ILCS 127/, School Reporting of Drug Violations Act.

23 Ill.Admin.Code Parts 35 and 50, Subpart D.

CROSS REF.: 3:50 (Administrative Personnel Other Than the Superintendent), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:210 (Resignations), 5:250 (Leaves of Absence), 5:290 (Employment Termination and Suspensions)

Adopted: January 20, 2022

3:70 Succession of Authority

If the Superintendent, Building Principal, or other administrator is temporarily unavailable, the succession of authority and responsibility of the respective office shall follow a succession plan, developed by the Superintendent and submitted to the Board.

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 3:30 (Chain of Command)

Adopted: July 21, 2022

Leyden CHSD 212

SECTION 4 - OPERATIONAL SERVICES

Leyden CHSD 212

4:10 Fiscal and Business Management

The Chief Financial Officer is responsible for the School District's fiscal and business management. This responsibility includes annually preparing and presenting the District's statement of affairs to the Board of Education and publishing it before December 1 as required by State law.

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

Budget Planning

The District's fiscal year is from July 1 until June 30. The Chief Financial Officer shall present to the Board of Education, no later than the first regular meeting in August, a tentative budget with appropriate explanation. This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for the District's educational program. The District's budget shall be entered upon the Ill. State Board of Education's (ISBE) *School District Budget Form*. To the extent possible, the tentative budget shall be balanced as defined by ISBE guidelines. The Chief Financial Officer shall complete a tentative deficit reduction plan if one is required by ISBE guidelines.

Preliminary Adoption Procedures

During the month of June, the Board of Education sets the date, place, and time for:

1. A public hearing on the proposed budget, and
2. The proposed budget to be available to the public for inspection.

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

At the public hearing, the proposed budget shall be reviewed, including the cash reserve balance of all funds held by the District related to its operational levy and, if applicable, any obligations secured by those funds, and the public shall be invited to comment, question, or advise the Board of Education.

Final Adoption Procedures

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

The Board of Education adopts the budget by roll call vote. The budget resolution shall be incorporated into the meeting's official minutes. Board of Education members' names voting yea and nay shall be recorded in the minutes.

The Chief Financial Officer or designee shall perform each of the following:

1. Post the District's final annual budget, itemized by receipts and expenditures, on the District's Internet website; notify parents/guardians that it is posted and provide the website's address.
2. File a certified copy of the budget resolution and an estimate of revenues by source anticipated to be received in the following fiscal year, certified by the District's Chief Fiscal Officer, with the County Clerk within 30 days of the budget's adoption.

3. Ensure disclosure to the public of the cash reserve balance of all funds held by the district related to its operational levy and, if applicable, any obligations secured by those funds, at the public hearing at which the Board certifies its operational levy.
4. Make all preparations necessary for the Board to timely file its Certificate of Tax Levy, including preparations to comply with the Truth in Taxation Act; file the Certificate of Tax Levy with the County Clerk on or before the last Tuesday in December. The Certificate lists the amount of property tax money to be provided for the various funds in the budget.
5. Submit the annual budget, a deficit reduction plan if one is required by ISBE guidelines, and other financial information to ISBE according to its requirements.

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

Budget Amendments

The Board of Education may amend the budget by the same procedure as provided for in the original adoption.

Implementation

The Chief Financial Officer or designee shall implement the District's budget and provide the Board of Education with a monthly financial report that includes all deficit fund balances.

The Board shall act on all interfund loans, interfund transfers, transfers within funds, and transfers from the working cash fund or abatements of it, if one exists.

LEGAL REF.:

105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-1.3, 5/17-2A, 5/17-3.2, 5/17-11, 5/20-5, 5/20-8, and 5/20-10.

35 ILCS 200/18-55 et seq., Truth in Taxation Law.

23 Ill.Admin.Code Part 100.

CROSS REF.: 4:22 (Capital Assets), 4:40 (Incurring Debt), 4:60 (Purchases and Contracts), 6:235 (Access to Electronic Networks)

Adopted: January 19, 2023

Leyden CHSD 212

4:15 Identity Protection

The collection, storage, use, and disclosure of social security numbers by the School District shall be consistent with State and federal laws. The goals for managing the District's collection, storage, use, and disclosure of social security numbers are to:

1. Limit all activities involving social security numbers to those circumstances that are authorized by State or federal law.
2. Protect each social security number collected or maintained by the District from unauthorized disclosure.

The Superintendent or designee is responsible for ensuring that the District complies with the Identity Protection Act, 5 ILCS 179/. Compliance measures shall include each of the following:

1. All employees having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training should include instructions on the proper handling of information containing social security numbers from the time of collection through the destruction of the information.
2. Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
3. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if the record is required to be released as part of a public records request.
4. When collecting a social security number or upon request by an individual, a statement of the purpose(s) for which the District is collecting and using the social security number shall be provided. The stated reason for collection of the social security number must be relevant to the documented purpose.
5. All employees must be advised of this policy's existence and a copy of the policy must be made available to each employee. The policy must also be made available to any member of the public, upon request.
6. If this policy is amended, employees will be advised of the existence of the amended policy and a copy of the amended policy will be made available to each employee.

No District employee shall collect, store, use, or disclose an individual's social security number unless specifically authorized by the Superintendent or designee. An employee who has substantially breached the confidentiality of social security numbers may be subject to disciplinary action or sanctions up to and including dismissal in accordance with District policy and procedures. This policy shall not be interpreted as a guarantee of the confidentiality of social security numbers and/or other personal information. The District will use best efforts to comply with this policy, but this policy should not be construed to convey any rights to protection of information not otherwise afforded by law.

Treatment of Personally Identifiable Information Under Grant Awards

The Superintendent ensures that the District takes reasonable measures to safeguard: (1) *protected personally identifiable information*, (2) other information that a federal awarding agency, pass-through agency or State awarding agency designates as sensitive, such as *personally identifiable information* (PII) and (3) information that the District considers to be sensitive consistent with applicable laws regarding privacy and confidentiality (collectively, *sensitive information*), when administering federal grant awards and State grant awards governed by the Grant Accountability and Transparency Act (30 ILCS 708/).

The Superintendent shall establish procedures for the identification, handling, storage, access, disposal and overall confidentiality of sensitive information. The Superintendent shall ensure that employees and contractors responsible for the administration of a federal or State award for the

District receive regular training in the safeguarding of sensitive information. Employees mishandling sensitive information are subject to discipline, up to and including dismissal.

LEGAL REF.:

2 C.F.R. §200.303(e).

5 ILCS 179/, Identity Protection Act.

30 ILCS 708/, Grant Accountability and Transparency Act

50 ILCS 205/3, Local Records Act.

105 ILCS 10/, Illinois School Student Records Act.

CROSS REF: 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records)

Adopted: January 16, 2020

Leyden CHSD 212

4:22 Capital Assets

Purpose

The purpose of this policy is to ensure adequate control and appropriate use of District "capital assets". The procedures are intended to define capital assets and to establish guidelines for their budgeting, purchase, use, accountancy, logging, inventory, transferring and disposal.

Policy

It is the policy of the District that capital assets be properly accounted for and used for appropriate District uses. It is the responsibility of the Chief School Business Official to ensure capital assets will be tagged whenever feasible, inventoried on a regular basis, and accounted for by fund and asset category. It is the responsibility of District's Department Heads to ensure that proper budgeting and purchasing guidelines are followed, and to ensure that capital assets are adequately controlled and used for appropriate District purposes.

Scope

All District Departments are subject to the provisions of this policy.

Objectives

The District's capital asset policy has two (2) objectives:

1. Accounting and Financial Reporting. To accurately account for and report capital assets in financial reports issued to the District's Board of Education , external reporting agencies, granting agencies, and the public.
2. Safeguarding - To protect its (capital) assets from loss or theft.

In meeting the two objectives, the District has established a Capitalization Policy and an Inventory Control Policy, providing specific guidance to determine which capital assets are subject to separate accounting and reporting (i.e., Capitalization) and safeguarding (i.e., Inventory Control), respectively.

The Chief School Business Official is responsible for, and has established, systems and procedures through which both objectives are met. These systems and procedures are used to identify, process, control, track, and report District capital assets.

Capitalization Policy - (Reporting)

Definition of a Capital Asset

In general, all capital assets, including land, buildings, machinery and equipment, with an original cost greater than \$5,000 and has a useful life of more than one year, will be subject to accounting and reporting (capitalization). All cost associated with the purchase or construction should be considered, including ancillary cost such as freight and transportation charges, site preparation, expenditures, installation charges, professional fees, and legal cost directly attributable to asset acquisition. Specific capitalization requirements are described below.

- The capitalization threshold is applied to individual units of capital assets. For example, ten desks purchased through a single order each costing \$600 will not qualify for capitalization even though the total cost of \$6000 exceeds the threshold of \$5000.
- The capitalization threshold will generally not be applied to components of capital assets. For example, a keyboard, monitor, and central processing unit purchased as components of a computer system will not be evaluated individually against the capitalization threshold. The entire computer system will be treated as a single capital asset.

- Repairs to capital assets will generally not be subject to capitalization unless the repair extends the useful life of the asset. In this case, it represents an improvement and is subject to the capitalization policy and should be evaluated separately.
- Improvements to existing capital assets will be presumed (by definition) to extend the useful life of the related capital asset and, therefore, will be subject to capitalization only if the cost of improvement meets the \$5000 threshold. In theory, an improvement to a capital asset that had an original cost of less than \$5000, but now exceeds the threshold as a result of the improvement, should be combined as a single asset at the cost (original cost plus the cost of the improvement) and capitalized.
- Capital Projects will be capitalized as "construction in progress" until completed. Cost to be capitalized include direct cost, such as labor, materials, and transportation, indirect cost such as engineering and construction management, and ancillary costs such as construction period interest.

Depreciation

Capital Assets will be depreciated using the following guidelines:

Each capital asset will be added to one of the following categories.

Category Code Category Description

100	Land
200	Land Improvements
300	Buildings and Improvements
500	Machinery and Equipment
600	Vehicles
700	Capital Improvements (Construction in Progress)

Examples of Items included in each category follow.

100Land is any real property such as land, easements, land lease, etc.

200Land improvements are parking lot pavement and improvements, fencing, etc.

300Buildings are structures permanently affixed to land. (Buildings, shelters)

500Machinery and Equipment items are all non-vehicle related equipment ranging anywhere from Office computers, a piece of furniture to a lawn mower. Also included would be any gymnasium equipment, fitness equipment, and floor scrubbers.

600Vehicles are generally automobiles and trucks.

700Capital Improvements would be for any projects in progress. This would be a holding account for expenditures that will be categorized upon their completion and placement into service.

Salvage Value : Salvage value is ignored.

Computer Software: Computer Software is not capitalized because of its short useful life and the high annual maintenance and upgrade cost.

Depreciable Lives: The categories above are assigned the following depreciable lives.

Category Code	Category Description	Depreciable Life
100	Land	N/A
200	Land Improvement	20 Years
300	Buildings and Improvements	50 Years
500	Machinery and Equipment	5 - 15 Years
500	Computer Equipment	5 Years
500	Playground Equipment	15 Years
500	Fitness Equipment	8 Years
600	Vehicles	8 Years
700	Construction in Progress	N/A

Depreciation Convention: A modified full month convention is used in the depreciation calculation. Specifically, a full month's depreciation is calculated in the first month for assets acquired in the first half month. No depreciation is calculated in the first month for assets acquired in the last half of the month.

Inventory Control Policy - (Safeguarding)

Department heads are responsible for safeguarding capital assets under their control from theft or loss. However, the Chief School Business Official is responsible for establishing and maintaining systems and procedures that enable Department Heads and district staff to properly safeguard assets.

In general, Inventory Control is applied only to movable capital assets such as Machinery and Equipment and Office Furniture and not to land, buildings, or other immovable capital assets. Capital assets subject to inventory control will be accounted for and controlled through the same systems and procedures used to account and control capital assets subject to capitalization.

Capital assets will be subject to inventory control if they meet at least one of the following criteria:

- a. The original cost of the capital asset is equal to or greater than \$500.
- b. Any asset that cost less than \$500 as requested from a department. This may include certain machinery and equipment that, due to portability, value outside of the office, or character, are susceptible to theft or loss. It may also include an asset that has been requested by a department to be controlled in order to satisfy an internal (operational) or external requirement. For example, Information Systems may wish to inventory all computer hardware to establish replacement and upgrade requirements for both hardware and software.
- c. An asset required to be controlled and separately reported pursuant to grant conditions or other externally imposed reporting requirement. For example, a grant program that has funded the acquisition of a capital asset may impose a requirement that the capital asset be tracked and identified as a grant-funded asset.

Tagging

The Chief Financial Officer, with assistance from Departments Heads, will be responsible for tagging capital assets.

Why Tag an Asset?

- To provide accountability for the assets, ensuring the asset assigned to a department is controlled and accounted for by a specific department/person.
- To support inventory control
- To help determine asset replacement cost and life
- To provide auditors with a mechanism to verify the District's control of capital assets and to provide an accurate account of the District's capital expenditures.

Should Asset be Tagged?

- Yes, if cost of asset is greater than \$500 and useful life is greater than 1 year
- Yes, if it is physically possible/practical to tag and meets the dollar and life guidelines
- Yes, if it is an asset that is handled frequently, has a high cost, and/or is likely to be stolen
- Yes, if the asset needs to be controlled due to high incidence of theft/misplacement/borrowing
- Generally, no, if the asset cost is less than \$500. However, the Chief School Business Official and/or Department Heads may choose to tag items that cost less than the \$500
- No, if the asset will be used up within one year

Purchasing Capital Assets

- Department Head or responsible employee should fill out a requisition sheet.
- The requested asset should have already been included in the current year's budget. Verify this, by reviewing your specific program.
- If asset is not in budget, you must contact the Chief School Business Official to determine appropriate action.
- Include the room and location when appropriate.

Transferring Asset to Another Department/Location/Building

- Use the "Asset Transfer" sheet.
- Fill out sheet and obtain the Chief School Business Official and Board of Education approval prior to transferring the asset.
- Make sure you have identified the correct department, location, and building as well as the tag number on the sheet.

Disposal of Surplus Property

Surplus property, with the approval of the Board of Education, can either be sold to any public or private person or entity, transferred from one department to another department, recycled or disposed of as junk to a land fill or other appropriate waste removal facility.

Value of Property: It shall be the responsibility of each department to appraise property designated as surplus. If it is determined that the property sold as a unit has a market value of more than \$5000, the property must be disposed of by a sealed bid process in accordance with District's purchasing guidelines. The sealed bid process will be coordinated in conjunction with each respective department and the Chief School Business Official. The Chief School Business Official and/or the Secretary of the Board of Education is authorized to advertise such surplus property for sale to the general public. If it is determined that the property sold as a unit has a value less than \$5000, the property may be disposed of in a manner approved by the Board of Education.

Disposal Process: Prior to the disposal of any surplus property, each department is required to complete a Surplus Property Report Form and return it to the Chief School Business Official for approval.

Auctions: Supplies permitting, the District will conduct one public auction each year for the purpose of disposing of surplus property (to be held in September). Inventory which is not sold at public auction will be removed in accordance with the Board of Education. The auction will be conducted by district staff in conjunction with the Chief School Business Official and other affected departments.

Temporary Storage of Surplus Property: The District currently has a minimal amount of storage capacity at the Center which is available for surplus property. Because of the limited nature of space, it may be necessary for departments to retain surplus property until the appropriate auction or bid sale date. While District staff is available to transport some material to the Center, departments may be required to make their own arrangement for the relocation of property to the Center. A decision on the temporary storage location of surplus property will be made at the time that the Surplus Property Disposal Request Form is reviewed.

Proceeds from Sales and Auctions: All proceeds from the sale of surplus property will be allocated to the District's General Corporate Fund unless the property was originally purchased with monies from a specific District Fund, in which case, the proceeds will be returned to that specific fund.

How to Retire/Dispose of an Asset

- Fill out the "Surplus Property Report" Form.
- Include the sale value, if the asset is being sold (if not known, the Chief School Business Official will fill in when asset is sold).
- Submit form to the Chief School Business Official for approval by the Board of Education, the Chief School Business Official will review for coding.
- **Do not bring the asset to the Chief Financial Officer.** Once the Surplus Property form has been completed and approved, contact the Chief Financial Officer to coordinate asset pick-up.
- Upon retirement/disposal of asset, notify the Chief School Business Official.

Adopted: May 17, 2018

Leyden CHSD 212

4:30 Revenue and Investments

Revenue

The Chief Investment Officer is responsible for making all claims for property tax revenue, State Aid, special State funds for specific programs, federal funds, categorical grants and other revenue sources.

Investments

The Chief Investment Officer shall invest money that is not required for current operations, in accordance with this policy and State law.

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

Investment Objectives

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

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

Authorized Investments

The Chief Investment Officer may invest any District funds in any investment as authorized in 30 ILCS 235/2 and in 50 ILCS 340, and Acts amended thereto.

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

The Chief Investment Officer and Superintendent shall regularly consider material, relevant, and decision-useful sustainability factors in evaluating investment decisions, within the bounds of financial and fiduciary prudence. Such factors include, but are not limited to: (1) corporate governance and leadership factors, (2) environmental factors, (3) social capital factors, (4) human capital factors, and (5) business model and innovation factors, as provided under the Ill. Sustainable Investing Act, 30 ILCS 238/.

Selection of Depositories, Investment Managers, Dealers, and Brokers

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

Safekeeping and Custody Arrangements

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

Controls and Report

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

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

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

Ethics and Conflicts of Interest

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

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

LEGAL REF.:

30 ILCS 235/, Public Funds Investment Act.

30 ILCS 238/, III. Sustainable Investing Act.

105 ILCS 5/8-7, 5/10-22.44, 5/17-1, and 5/17-11.

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

Adopted: January 16, 2020

4:40 Incurring Debt

The Chief School Financial Officer shall provide early notice to the Board of Education of the District's need to borrow money. The Chief School Financial Officer or designee shall prepare all documents and notices necessary for the Board of Education, at its discretion, to: (1) issue State Aid Anticipation Certificates, tax anticipation warrants, working cash fund bonds, bonds, notes, and other evidence of indebtedness, or (2) establish a line of credit with a bank or other financial institution. The Chief School Financial Officer shall notify the State Board of Education before the District issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law.

Bond Issue Obligations

In connection with the Board's issuance of bonds, the Chief School Financial Officer shall be responsible for ensuring the District's compliance with federal securities laws, including the anti-fraud provisions of the Securities Act of 1933, as amended and, if applicable, the continuing disclosure obligations under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended.

Additionally, in connection with the Board's issuance of bonds, the interest on which is excludable from *gross income* for federal income tax purposes, or which enable the District or bond holder to receive other federal tax benefits, the Board authorizes the Chief School Financial Officer to establish written procedures for post-issuance compliance monitoring for such bonds to protect their tax-exempt (or tax-advantaged) status.

The Board may contract with outside professionals, such as bond counsel and/or a qualified financial consulting firm, to assist it in meeting the requirements of this subsection.

LEGAL REF.:

Securities Act of 1933, 15 U.S.C. §77a et seq.

Securities Exchange Act of 1934, 15 U.S.C. §78a et seq.

17 C.F.R. §240.15c2-12.

Bond Authorization Act, 30 ILCS 305/2

Bond Issue Notification Act, 30 ILCS 352/

Local Government Debt Reform Act, 30 ILCS 350/.

Tax Anticipation Note Act, 50 ILCS 420/.

105 ILCS 5/17-16, 5/17-17, 5/18-18, and 5/19-1 et seq.

CROSS REF.: 4:10 (Fiscal and Business Management)

Adopted: May 18, 2023

4:45 Insufficient Fund Checks and Debt Recovery

The Chief Financial Officer is responsible for collecting up to the maximum fee authorized by State law for returned checks written to the District that are not honored upon presentation to the respective bank or other depository institution for any reason. The Chief Financial Officer is authorized to contact the Board Attorney whenever necessary to collect the returned check amount, fee, collection costs and expenses, and interest. The Chief Financial Officer may choose to engage a third party to administer the collection of the insufficient funds checks.

Delinquent Debt Recovery

The Superintendent is authorized to seek collection of delinquent debt owed the District to the fullest extent of the law.

A Local Debt Recovery Program may be available through the Illinois Office of the Comptroller (IOC) in the future. To participate in it, an intergovernmental agreement (IGA) between the District and the IOC must be in existence. The IGA establishes the terms under which the District may refer a delinquent debt to the IOC for an offset (deduction). The IOC may execute an offset, in the amount of the delinquent debt owed to the District, from a future payment that the State makes to an individual or entity responsible for paying the delinquent debt.

The Superintendent or designee shall execute the requirements of the IGA. While executing the requirements of the IGA, the Superintendent or designee is responsible, without limitation, for each of the following:

1. Providing a District-wide, uniform, method of notice and due process to the individual or entity against whom a claim for delinquent debt payment (*claim*) is made. Written notice and an opportunity to be heard must be given to the individual or entity responsible for paying a delinquent debt before the claim is certified to the IOC for offset. The notice must state the claim's amount, the reason for the amount due, the claim's date or time period, and a description of the process to challenge the claim.
2. An individual or entity challenging a claim shall be provided an informal proceeding to refute the claim's existence, amount, or current collectability; the decision following this proceeding shall be reviewable.
 - a. If a waiver of student fees is requested as a challenge to paying the claim, and the waiver of student fees is denied, an appeal of the denial of a fee waiver request shall be handled according to 4:140, Waiver of Student Fees. If no waiver of student fees is requested, reviews regarding payment of the claim shall be handled according to this policy before certification to the IOC for offset.
 - b. If application for meal benefits pursuant to policy 4:130, Free and Reduced-Price Food Services, is requested as a challenge to paying the claim, and the request is denied, an appeal of the denial of the request shall be handled according to 4:130, Free and Reduced-Price Food Services. If no request for meal benefits is received, review of the claim's payment shall be handled according to this policy before certification to the IOC for offset.
3. Certifying to the IOC that the debt is past due and legally enforceable, and notifying the IOC of any change in the status of an offset claim for delinquent debt.
4. Responding to requests for information from the IOC to facilitate the prompt resolution of any administrative review requests received by the IOC.

LEGAL REF.:

15 ILCS 405/10.05 and 10.05d.

810 ILCS 5/3-806.

Adopted: February 21, 2019

Leyden CHSD 212

4:46 State Payment Offset Policy

Section 1: Purpose

Pursuant to an Intergovernmental Agreement ("IGA") by and between the Illinois Office of the Comptroller (the "Comptroller") and the Board of Education (the "Board") regarding access to the Comptroller's Local Debt Recovery Program, the Board is authorized to use the Comptroller's offset system to collect debts owed to the Board. The purpose of this policy is to establish the procedures for the Board to exercise its rights under the IGA to collect debts through the comptroller.

Section 2: Definition

For purposes of this policy, the following definitions shall apply:

"Debt" - Any moneys owed to the Board which are less than 7 years past the date of final determination.

"Debtor" - Any person or entity that the District has identified as owing a debt as defined herein.

Section 3: Procedure

- A. Review of Debts. (A designee selected by the Superintendent) shall review all debts owed to the Board on a periodic basis, but not less than semi-annually, and shall determine which debts should be subject to the Comptroller's offset system.
- B. Notice. For the debts that the Superintendent designee has determined are subject to the Comptroller's offset system, the Superintendent designee shall issue a written notice sent by registered or certified mail to the debtors regarding such debts. Said written notice shall provide the following:
 1. The amount of the debt;
 2. The reason for the debt;
 3. That the School District intends on initiating its rights under the IGA to collect the debt through the Comptroller; and
 4. A Statement that the debtor has the right to request an opportunity to dispute the debt or the amount of the debt to the Superintendent designee within 14 days after the Superintendent designee sends the written notice to the debtor.
- C. Debtor's Right to Dispute Debt Determination. If, within 14 days after the Superintendent designee sends the written notice described in Section 3.A of this policy, the debtor requests an opportunity to dispute the debt, the Superintendent designee shall provide the debtor with such opportunity within 30 days after the debtor makes the request. After the debtor's presentation to the Superintendent designee, the Superintendent designee shall decide whether the debt is subject to collection under the IGA and shall provide the debtor with a written decision. The decision shall inform the debtor that the debtor may seek review of the decision with the Superintendent by making such a request in writing within 14 days after the Superintendent designee sends the decision to the debtor. If the debtor fails to timely request an opportunity to dispute the debt to the Superintendent designee, then the debt shall be subject to collection under the IGA.
- D. Review of Superintendent Designee's Decision. Within 14 days after the Superintendent designee sends notice of the Superintendent designee's decision to the debtor, the debtor may request in writing that the Superintendent review the Superintendent designee's decision. If such a request is made, the Superintendent shall review the Superintendent designee's decision and any evidence the debtor presented to the Superintendent designee. The Superintendent shall provide a decision in writing to the debtor and the Superintendent's decision shall be final. If the debtor fails to timely request review of the Superintendent designee's decision to the

Superintendent, then the debt shall be subject to collection under the IGA.

- E. Submission of Debt to the Comptroller. If the debt is deemed subject to collection under the IGA by the Superintendent designee or the Superintendent, the Superintendent designee will submit the debt to the Comptroller pursuant to the IGA.

LEGAL REF.:15 ILCS 405/10.05 and 10.05d

5 ILCS 220/3.

ADOPTED:October 11, 2012

Leyden CHSD 212

4:50 Payment Procedures

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

The Treasurer is authorized, without further Board approval, to pay Social Security taxes, wages, pension contributions, utility bills, and other bills. Listings of such payments will be furnished to the Board at the following business meeting.

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

Payroll Deductions

Payroll deductions shall be made for Federal and State Income Tax, Teachers' Retirement System, Illinois Municipal Retirement Fund, Illinois Municipal Retirement Fund Voluntary Contributions, Medicare, Social Security (FICA) and Teachers' Health Insurance Security. Upon the written request of an employee, payroll deductions shall be made for group health insurance, flex plan, tax-sheltered annuities, TRS 2.2, TRS Optional Service, and membership dues in professional associations and unions.

The dues deduction for membership in professional organizations shall be from each regular payroll period for months and shall be of an amount equal to the pro rata share of the annual membership dues. The Custodial/Maintenance Labor Pension and dues for custodial maintenance employees shall be from each regular payroll period for 12 months.

The Board shall remit such deductions to the specified groups.

LEGAL REF.:

105 ILCS 5/8-16, 5/10-7, and 5/10-20.19.

23 Ill.Admin.Code §100.70.

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

Adopted: August 13, 2020

4:55 Use of Credit and Procurement Cards

The School District may authorize the issuance of School District credit cards to the employees listed in this policy. The School District's issuance of a School District credit card is a privilege given, withheld, and revoked at the sole discretion of the School District. The School District reserves the right to terminate an employee's School District credit card with or without cause at any time. Each employee issued a School District credit card may use such card only for school-related purchases within the scope of that employee's duties and in accordance with this policy. All purchases must comply with all applicable federal, state, and local laws and regulations including, but not limited to, the Illinois School Code (105 ILCS 5/1-1 *et seq.*), bidding requirements under Section 10-20.21 of the Illinois School Code (105 ILCS 5/10-20.21), Illinois Administrative Procedures regarding credit cards (23 Ill. Adm. Code 100.70(d)), and must comply with all School District policies and procedures, as amended from time to time. School District credit card purchases are subject to the same requirements and limitations as all other purchase contracts. No person shall use a School District credit card to make any purchase contrary to State law, including without limitation the bidding and other purchasing requirements of 105 ILCS 5/10-20.21.

An employee who is issued a School District credit card shall use such credit card consistently and abide by all the terms of the authorized commercial card program agreement and under the terms of this School District policy and implementing procedures. Employees who are issued a School District credit card shall not allow another person to use such School District credit card under any circumstances and shall take all reasonable precautions to ensure that no other person uses his or her School District credit card. An employee shall not use a School District credit card for any personal purchase(s). Employees are personally liable for all non-school related purchase(s) made with their School District credit card.

Each School District credit card shall have a credit limit and a limit on the amount which may be charged in a single purchase or in a single month, determined by the title of the employee to which the credit card is issued and as provided in the administrative rules as prepared by the Superintendent, or the Superintendent's designee, and on file at the School District's administrative offices. At no time shall an employee exceed such limits for his or her School District credit card unless specifically authorized in writing by the Superintendent, or the Superintendent's designee. An employee is liable for any and all amounts that exceed the limits for his or her School District credit card for whatever reason or purpose (regardless whether it was used for personal or business reasons or purposes), unless such excess amount is approved by the Board of Education. The Superintendent or designee shall instruct the issuing bank to block the use of School District credit cards at unapproved merchants. The Superintendent or designee shall provide specific guidelines on purchases via telephone, fax and the Internet. The Superintendent or designee shall account for any financial or material reward or rebate offered in connection with use of School District credit cards and shall use such rewards or rebates for the School District's benefit.

When making charges with a School District credit card, the employee will:

1. Submit all original receipts and a copy of the School District credit card's itemized statement to the School District's business manager for review and approval of purchases and payment. Failure to provide complete and original documentation for School District credit card charges will result in the employee being liable for undocumented charges and the suspension and/or revocation of School District credit card privileges;
2. Immediately report the suspected misuse of a School District credit card or the misplacement or theft of a School District credit card to the Fiscal Services. The employee is liable for all undocumented charges made with the School District credit card prior to such notification, unless the Board of Education excuses the employee for such undocumented charges. Employees giving notifications to the School District's business manager must confirm such notifications in writing contemporaneously with the giving of such notifications;
3. Return a School District credit card to the School District immediately upon request; and

4. Use the School District credit card only for school-related purchases within the scope of that employee's duties and in accordance with this policy. The credit card may not be used for personal expenses, items unrelated to school business, or charges that would not qualify for a purchase order. If an employee is unsure as to whether charges qualify as school-related purchases within the scope of that employee's duties, he or she should obtain prior approval from the School District's business manager. The employee is liable for all School District credit card charges which are not school-related purchases within the scope of that employee's duties and in accordance with this policy.

An employee's misuse of a School District credit card will result in that employee being liable for any and all charges arising from such misuse and may result in disciplinary action including, but not limited to, suspension of purchasing privileges, suspension without pay, or termination.

Before a School District employee is issued a School District credit card, such employee shall sign an agreement, which at a minimum:

1. Authorizes the School District to deduct from the employee's paychecks any amount charged to the School District credit card which is in violation of the School District Policy and/or the authorized commercial card program agreement and/or not directly related to School District purchases within the scope of that employee's duties and in accordance with this policy;
2. Provides that the employee agrees (a) to immediately notify the School District's business manager if the employee suspects misuse of the School District credit card or if the employee or someone other than the employee misplaces the School District credit card and (b) to be responsible for all amounts charged to the School District credit card until the time he or she notifies the business manager that he or she suspects misuse of the School District credit card or that the credit card has been misplaced, unless the Board of Education excuses the employee for such undocumented charges; and
3. Provides that the employee agrees to indemnify, hold harmless, release, and defend the School District, its Board of Education and its members, its officers, officials, employees and agents (collectively, "Indemnified Parties") against any and all damages, liability, claims, losses, and expenses (including attorneys' fees and expenses) incurred by any of the Indemnified Parties related to the employee's unauthorized use of the Card, the employee's unauthorized purchase of items, or the employee's failure to immediately report a lost or missing School District credit card to the School District business manager.
4. Affirms that the employee is familiar with this policy and implementing procedures and agrees to abide by all provisions.

The provisions of this policy and its implementing procedures are incorporated into and considered a part of every agreement with a School District employee regarding the use of School District credit cards. The Superintendent is authorized to include additional provisions in the agreement as may be appropriate and to develop administrative procedures to implement this policy.

LEGAL REF.:

105 ILCS 5/10-20.21.

23 Ill.Admin.Code §100.70(d).

CROSS REF.: 4:50 (Payment Procedures), 4:60 (Purchases and Contracts), 4:80 (Accounting and Audits), 4:90 (Student Activity and Fiduciary Funds), 5:60 (Expenses)

Adopted: January 19, 2023

4:60 Purchases and Contracts

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

Standards for Purchasing and Contracting

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

The Board declares its intention to purchase competitively without regard to the race, national origin, religion, or political affiliation of the vendor and to seek maximum educational value for every dollar spent.

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

The Chief Financial Officer is responsible for the quality and quantity of purchases made. The prime guidelines governing this responsibility require that all purchases fall within the framework of budgetary limitations and that they be consistent with the approved educational goals and programs of the District.

Adoption of the annual budget authorizes the Chief Financial Officer or designee to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items outside budget parameters require prior Board approval, except in an emergency. Notwithstanding the above, the Chief Financial Officer shall not commit to any single, non-customary purchase or expenditure, excluding personnel, of greater than \$25,000, unless exempted by law, without prior board approval.

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

1. Supplies, materials, or work involving an expenditure in excess of \$25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 et seq.
4. Third party non-instructional services must comply with 105 ILCS 5/10-22.34c.
5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21(b-5). The Chief Financial Officer or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Chief Financial Officer or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget.
6. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10).
7. The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Board policy 4:70, *Resource Conservation*.

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

- a. In accordance with 105 ILCS 5/10-21.9(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS 5/10-21.9(c) and 5/21B-80(c) to have direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibit any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (3) require each of its employees who will have direct, daily contact with student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her.
- b. In accordance with 105 ILCS 5/22-94: (1) prohibit any of its employees from having *direct contact with children or students* if the contractor has not performed a sexual misconduct related employment history review (EHR) of the employee or if the District objects to the employee's assignment based on the employee's involvement in an instance of sexual misconduct as provided in 105 ILCS 5/22-94(j)(3), which the contractor is required to disclose; (2) discipline, up to and including termination or denial of employment, any employee who provides false information or willfully fails to disclose information required by the EHR; (3) maintain all records of EHRs and provide the District access to such records upon request; and (4) refrain from entering into any agreements prohibited by 105 ILCS 5/22-94(g).
- c. In accordance with 105 ILCS 5/24-5: (1) concerning each new employee of a contractor that provides services to students or in schools, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease; and (2) require any new or existing employee who provides services to students or in schools to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Ill. Dept. of Public Health rules or order of a local health official.

9. Any pavement engineering project using a coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product for pavement engineering-related use must comply with the Coal Tar Sealant Disclosure Act.

10. Purchases made with federal or State awards must comply with 2 C.F.R. Part 200 and 30 ILCS 708/, as applicable, and any terms of the award.

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

LEGAL REF.:

2 C.F.R. Part 200.

105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-21.9, 5/10-22.34c, 5/19b-1 et seq., 5/22-94, and 5/24-5.

30 ILCS 708/, Grant Accountability and Transparency Act.

410 ILCS 170/, Coal Tar Sealant Disclosure Act.

820 ILCS 130/, Prevailing Wage Act.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting)

Adopted: May 18, 2023

Leyden CHSD 212

4:70 Resource Conservation

The Chief Financial Officer shall manage a program of energy and resource conservation for the District that includes:

1. Periodic review of procurement procedures and specifications to ensure that purchased products and supplies are reusable, durable, or made from recycled materials, if economically and practically feasible.
2. Purchasing recycled paper and paper products in amounts that will, at a minimum, meet the specifications in the School Code, if economically and practically feasible.
3. Periodic review of procedures on the reduction of solid waste generated by academic, administrative, and other institutional functions. These procedures shall: (a) require recycling the District's waste stream, including landscape waste, computer paper, and white office paper, if economically and practically feasible; (b) include investigation of the feasibility of potential markets for other recyclable materials that are present in the District's waste stream; and (c) be designed to achieve, before July 1, 2020, at least a 50% reduction in the amount of solid waste that is generated by the District.
4. Adherence to energy conservation measures.

LEGAL REF.:

105 ILCS 5/10-20.19c and 5/19b.

CROSS REF.: 4:60 (Purchases and Contracts), 4:150 (Facility Management and Building Programs)

Adopted: July 21, 2022

Leyden CHSD 212

4:80 Accounting and Audits

The School District's accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*, as adopted by the Ill. State Board of Education (ISBE), State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board.

Annual Audit

At the close of each fiscal year, the Chief Financial Officer shall arrange an audit of the District funds, accounts, statements, and other financial matters. The audit shall be performed by an independent certified public accountant designated by the Board and be conducted in conformance with prescribed standards and legal requirements. A complete and detailed written audit report shall be provided to each Board member and to the Chief Financial Officer.

The Chief Financial Officer shall annually, on or before October 15, submit an original and one copy of the audit to the appropriate Intermediate Service Center.

Annual Financial Report

The Chief Financial Officer or designee shall annually prepare and submit the Annual Financial Report on a timely basis using the form adopted by the ISBE. The Chief Financial Officer shall review and discuss the Annual Financial Report with the Board before it is submitted.

Inventories

The Superintendent or designee is responsible for establishing and maintaining accurate inventory records. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost, unless the supplies and equipment are acquired by the District pursuant to a federal or State grant award, in which case the inventory record shall also include the information required by 2 C.F.R. §200.313, if applicable. The Superintendent shall establish procedures for the management of property acquired by the District under grant awards that comply with federal and State law.

Capitalization Threshold

To be considered a capital asset for financial reporting purposes, a capital item must be at or above a capitalization threshold of \$5,000 and have an estimated useful life greater than one year.

Disposition of District Property

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

Controls for Revolving Funds and Petty Cash

Revolving funds and the petty cash system are established in Board policy 4:50, *Payment Procedures*. The Chief Financial Officer shall: (1) designate a custodian for each revolving fund and petty cash fund, (2) obtain a bond for each fund custodian, and (3) maintain the funds in compliance

with this policy, State law, and ISBE rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. All expenditures from these bank accounts must be directly related to the purpose for which the account was established and supported with documentation, including signed invoices or receipts. All deposits into these bank accounts must be accompanied with a clear description of their intended purpose. The Chief Financial Officer shall include checks written to reimburse revolving funds on the Board's monthly listing of bills indicating the recipient and including an explanation.

Control Requirements for Checks

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

Internal Controls

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

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

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

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

LEGAL REF.:

2 C.F.R. §200 et seq.

30 ILCS 708/, Grant Accountability and Transparency Act, implemented by 44 Ill.Admin.Code 7000 et seq.

105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.4, 5/10-20.19, 5/10-22.8, and 5/17-1 et seq.

23 Ill.Admin.Code Part 100.

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

Adopted: January 21, 2021

Leyden CHSD 212

4:88 Cash in School Buildings

All monies collected by school personnel for school-sponsored activities and events must be carefully posted and prudently safeguarded.

Money collected for any purpose must be submitted to the building principal or his/her designee, who will provide for its proper deposit. A record of all cash received by the District will be kept current at all times. A receipt will be written for all money received by each school. The receipt will designate the source of the money and into what account it was deposited. There will be no commingling of funds.

A copy of the receipt will be attached to the bank deposit slip and filed with the Business Office. Petty cash will be kept in a locked vault or other secure space. Collected funds should be deposited at a Board of Education designated financial institution at the end of each school day. Money which is not deposited in the bank on the day of collection must be secured in the safe in the building's administrative office and deposited on the next business day.

Teachers and others will be cautioned against leaving cash in desks or cabinets, particularly overnight. The Board will not be responsible for money left in any school overnight except for petty cash that has been handled as directed by the Superintendent.

ADOPTED: June 19, 2008

Leyden CHSD 212

4:90 Student Activity and Fiduciary Funds

The Board, upon the Chief Financial Officer's or designee's recommendation, establishes student activity funds to be managed by student organizations under the guidance and direction of a staff member for educational, recreational, or cultural purposes. The Board, upon the Superintendent or designee's recommendation, also establishes fiduciary funds to be supervised by the Superintendent or designee. The District has custodial responsibilities for fiduciary funds but no direct involvement in the management of such funds.

Student Activity Funds

The Treasurer shall be responsible for supervising student activity funds in accordance with Board policy 4:80, *Accounting and Audits*; State law; and the Ill. State Board of Education (ISBE) rules for student activity funds. The Board of Education Treasurer shall manage activity funds and shall be bonded in accordance with the School Code. The Treasurer shall have all of the responsibilities specific to the treasurer listed in ISBE rules for school activity funds, including the authority to make loans between activity funds.

Unless otherwise instructed by the Board, a student activity fund's balance will carry over to the next fiscal year. An account containing student activity funds that is inactive for 12 consecutive months shall be closed and its funds transferred to another student activity fund or authorized fund with a similar purpose.

Student Activity Funds

Definition: In general, student activity funds are those funds that are owned, operated, and managed by students under the guidance of a staff member for educational, recreational, and/or cultural purposes. Though student activity funds are not tax monies, the Board of Education has the ultimate responsibility for them.

Organizational Approval: The Board of Education authorizes the Superintendent to act as the designated representative to approve the formation of all class organizations, clubs and associations.

General Policy:

1. Projects that raise student activity funds should contribute to the educational experience of students and not conflict with, but add to, the instructional program.
2. Funds derived from the student body as a whole should be spent for the benefit of the student body as a whole.
3. Student activity funds, should, whenever possible, be spent for the benefit of those students currently in school who have contributed to the accumulation of such funds.
4. Student-body representation is required whenever possible or feasible in the management of funds raised by the student body and spent for its benefit.
5. Student-body business should be conducted so that it offers minimum competition to commercial concerns, while still benefiting the student body as a whole.

Fiduciary Funds

The Superintendent or designee shall be responsible for supervising fiduciary funds in accordance with Board policy 4:80, *Accounting and Audits*; State law; and ISBE rules for fiduciary funds. The Board will appoint a treasurer for each fund to serve as the fund's sole custodian and be bonded in accordance with the School Code. The treasurer shall have all of the responsibilities specific to the treasurer listed in the ISBE rules for fiduciary funds.

LEGAL REF.:

105 ILCS 5/8-2 and 5/10-20.19.

23 Ill.Admin.Code §§100.20, 100.80, and 100.85.

CROSS REF.: 4:80 (Accounting and Audits), 7:325 (Student Fundraising Activities)

Adopted: January 21, 2021

Leyden CHSD 212

4:100 Insurance Management

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

The insurance program shall include each of the following:

1. Liability coverage to insure against any loss or liability of the School District and the listed individuals against civil rights damage claims and suits, constitutional rights damage claims and suits, and death and bodily injury and property damage claims and suits, including defense costs, when damages are sought for negligent or wrongful acts allegedly committed in the scope of employment or under the Board's direction or related to any mentoring services provided to the District's certified staff members; Board members; employees; volunteer personnel authorized by 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b; mentors of certified staff members authorized in 105 ILCS 5/21A-5 et seq. (new teacher), 105 ILCS 5/2-3.53a (new principal), and 2-3.53b (new superintendents); and student teachers.
2. Catastrophic accident insurance at the mandated benefit level for student athletes in grades 9 through 12 who sustain an accidental injury while participating in school-sponsored or school-supervised interscholastic athletic events sanctioned by the Ill. High School Association that results in medical expenses in excess of \$50,000.
3. Comprehensive property insurance covering a broad range of causes of loss involving building and personal property. The coverage amount shall normally be for the replacement cost or the insurable value.
4. Workers' Compensation to protect individual employees against financial loss in case of a work-related injury, certain types of disease, or death incurred in an employee-related situation.
5. Employee insurance programs.
6. Student Accident Insurance.

Student Insurance

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

LEGAL REF.:

Consolidated Omnibus Budget Reconciliation Act, Pub. L. 99-272, §10001, 100 Stat. 222, 4980B(f) of the I.R.S. Code, 42 U.S.C. §300bb-1 et seq.

105 ILCS 5/10-20.20, 5/10-22.3, 5/10-22.3a, 5/10-22.3b, 5/10-22.3f, 5/10-22.34, 5/10-22.34a, 5/10-22.34b, and 5/22-15.

215 ILCS 5/, Ill. Insurance Code.

750 ILCS 75/, Ill. Religious Freedom Protection and Civil Union Act.

820 ILCS 305/, Workers' Compensation Act.

Adopted: April 25, 2019

4:110 Transportation

The District shall provide free transportation for any student in the District who resides: (1) at a distance of one and one-half miles or more from his or her assigned school, unless the Board of Education has certified to the Ill. State Board of Education that adequate public transportation is available, or (2) if adequate public transportation is not available, within one and one-half miles from his or her assigned school where walking to or from school or to or from a pick-up point or bus stop would constitute a *serious safety hazard* due to either (a) vehicular traffic or rail crossing or (b) a *course or pattern of criminal activity*, as defined in the Ill. Streetgang Terrorism Omnibus Prevention Act, 740 ILCS 147/. A student's parent(s)/guardian(s) may file a petition with the Board requesting transportation due to the existence of a serious safety hazard. Free transportation service and vehicle adaptation is provided for a special education student if included in the student's individualized educational program. Non-public school students shall be transported in accordance with State law. Homeless students shall be transported in accordance with Section 45/1-15 of the Education for Homeless Children Act. Foster care students shall be transported in accordance with Section 6312(c)(5)(B) of the Elementary and Secondary Education Act.

Bus schedules and routes shall be determined by the Transportation Supervisor and shall be altered only with the Transportation Supervisor's approval and direction. In the routes, the pick-up and discharge points should be as safe for students as possible.

No school employee may transport students in school or private vehicles unless authorized by the administration.

Every vehicle regularly used for the transportation of students must pass safety inspections in accordance with State law and Ill. Dept. of Transportation regulations. The strobe light on a school bus may be illuminated only when the bus is actually being used as a school bus and (1) is stopping or stopped for loading or discharging students on a highway outside an urban area, or (2) is bearing one or more students. The Transportation Supervisor shall implement procedures in accordance with State law for accepting comment calls about school bus driving.

All contracts for charter bus services must contain the clause prescribed by State law regarding criminal background checks for bus drivers.

Pre-Trip and Post-Trip Vehicle Inspection

The Transportation Supervisor or designee shall develop and implement a pre-trip and post-trip inspection procedure to ensure that the school bus driver: (1) tests the two-way radio or cellular radio telecommunication device and ensures that it is functioning properly before the bus is operated, and (2) walks to the rear of the bus before leaving the bus at the end of each route, work shift, or work day, to check the bus for children or other passengers in the bus.

Use of School-Owned Vehicles

Leyden Community High School District #212 owns and maintains a fleet of vehicles to help employees and Board members carry out the work of the school system. These vehicles are purchased, repaired, services and insured by District #212 at taxpayer expense.

School-owned vehicles are not to be used for personal use, such as driving to and from home, or conducting personal business.

Any exceptions to the above must have the specific approval of the Superintendent.

LEGAL REF.:

20 U.S.C. §6312(c)(5)(B), Elementary and Secondary Education Act.

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

105 ILCS 5/10-22.22 and 5/29-1 et seq.

105 ILCS 45/1-15 and /1-17.

625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813.1, 5/12-815, 5/12-816, 5/12-821, and 5/13-109.

23 Ill.Admin.Code §§1.510 and 226.750; Part 120.

92 Ill.Admin.Code Part 440.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:280 (Duties and Qualifications), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 7:220 (Bus Conduct)

Adopted: April 25, 2019

Leyden CHSD 212

4:120 Food Services

Good nutrition shall be promoted in the District's meal programs and in other food and beverages that are sold to students during the school day. The Food Service Supervisor shall manage a food service program that complies with this policy and is in alignment with Board of Education policy 6:50, *School Wellness*.

Food or beverage items sold to students as part of a reimbursable meal under federal law must follow the nutrition standards specified in the U.S. Dept. of Agriculture rules that implement the National School Lunch and Child Nutrition Acts. Schools being reimbursed for meals under these laws are *participating schools*.

The food service program in participating schools shall comply with the nutrition standards specified in the U.S. Dept. of Agriculture's *Smart Snacks rules* when it offers competitive foods to students on the school campus during the school day. The school day includes from the midnight before school begins through 20 minutes after the official school day ends. *Competitive foods* are all food and beverages that are offered by any person, organization or entity for sale to students on the school campus during the school day that are not reimbursed under programs authorized by federal law. The food service programs in participating schools shall also comply with any applicable mandates in the Illinois State Board of Education's School Food Service rules implementing these federal laws and the Ill. School Breakfast and Lunch Program Act.

All revenue from the sale of any food or beverages sold in competition with the School Breakfast Program or National School Lunch Program to students in food service areas during the meal period shall accrue to the nonprofit school lunch program account.

LEGAL REF.:

Russell B. National School Lunch Act, 42 U.S.C. §1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. §1771 et seq.

7 C.F.R. Parts 210 (National School Lunch Program) and 220 (School Breakfast Program).

105 ILCS 125/, School Breakfast and Lunch Program Act.

23 Ill.Admin.Code Part 305, School Food Service.

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:50 (School Wellness)

Adopted: January 20, 2022

Leyden CHSD 212

4:130 Free and Reduced-Price Food Services

Notice

The Food Service Supervisor shall be responsible for implementing the District's free and reduced-price food services policy and all applicable programs.

Eligibility Criteria and Selection of Children

A student's eligibility for free and reduced-price food services shall be determined by the income eligibility guidelines, family-size income standards, set annually by the U.S. Department of Agriculture and distributed by the Ill. State Board of Education. From time to time, the income eligibility guidelines and standards may not be necessary when reimbursements for students' free breakfasts and lunches are claimed through the U.S. Depts. of Agriculture and Education's Community Eligibility Provision (CEP). When claiming the CEP, the District will follow its requirements.

Notification

At the beginning of each school year, by letter, the District shall notify students and their parents/guardians of: (1) eligibility requirements for free and reduced-price food service; (2) the application process; (3) the name and telephone number of a contact person for the program Food Service Supervisor, 847-451-3067; and (4) other information required by federal law. The Superintendent or designee shall provide the same information to the District's website, all school newsletters, or students' registration materials. Parents/guardians enrolling a child in the District for the first time, any time during the school year, shall receive the eligibility information.

Nondiscrimination Assurance

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

Appeal

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

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

LEGAL REF.:

U.S. Dept. of Agriculture, Food and Nutrition Service, National School Lunch Program, 7 C.F.R. Part 210.

U.S. Dept. of Agriculture, Food and Nutrition Service, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools, 7 C.F.R. Part 245.

105 ILCS 125/ et seq. and 126/.

23 Ill.Admin.Code §305.10 et seq.

Adopted: February 21, 2019

4:130-E Exhibit - Free and Reduced-Price Food Services; Meal Charge Notifications

On District letterhead, website, in student handbook, newsletters, bulletins, and/or calendars

Date:

To: Parents/Guardians, Students, and Staff

Re: Eligibility and Meal Charge Notifications

The following notification is provided at the beginning of each school year as federally required notification regarding eligibility requirements and the application process for the free and reduced-price food services that are listed in Board policy 4:130, *Free and Reduced-Price Food Services* and 4:140, *Waiver of Student Fees*. For more information, see www.fns.usda.gov/school-meals/unpaid-meal-charges, and/or contact the Building Principal or designee.

Free and Reduced-Price Food Services Eligibility

When the parents/guardians of students are unable to pay for their child(ren)'s meal services, meal charges will apply per a student's eligibility category and will be processed by the District accordingly.

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

Meal Charges for Meals Provided by the District

The Building Principal and District staff will work jointly to prevent meal charges from accumulating. Every effort to collect all funds due to the District will be made on a regular basis and before the end of the school year. Contact your Building Principal or designee about whether your child(ren)'s charges may be carried over at the end of the school year, i.e., beyond June 30th.

Unpaid meal charges are considered delinquent debt when payment is overdue as defined by Board policy 4:45, *Insufficient Fund Checks and Debt Recovery* and the Hunger-Free Students' Bill of Rights Act (105 ILCS 123/, added by P.A. 100-1092). The District will make reasonable efforts to collect charges classified as delinquent debt.

When a student's funds are low or there is a negative balance, reminders will be provided to the staff, students, and their parent(s)/guardian(s) at regular intervals during the school year. State law allows the Building Principal to contact parents(s)/guardian(s) to attempt collection of the owed money when the amount owed is more than the amount of five lunches. If a parent/guardian regularly fails to provide meal money for the child(ren) that he/she is responsible for in the District and does not qualify for free meal benefits, the Building Principal or designee will direct the next course of action. Continual failure to provide meal money may require the District to notify the Ill. Dept. of Children and Family Services (DCFS) and/or take legal steps to recover the unpaid meal charges, up to and including seeking an offset under the State Comptroller Act, if applicable.

LEGAL REF.:

Healthy Hunger-Free Kids Act of 2010 (P.L. 111-296).

7 C.F.R. §245.5.

105 ILCS 123/, Hunger-Free Students' Bill of Rights Act.

23 III.Admin.Code Part 305, School Food Service.

DATED : February 21, 2019

Leyden CHSD 212

4:140 Waiver of Student Fees

The Superintendent will recommend to the Board of Education a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay fines for the loss of or damage to school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education, as well as fines for the loss or damage of school property are waived for students who meet the eligibility criteria for a waiver as described in this policy. In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees and fines, the Superintendent will recommend to the Board which additional fees and fines, if any, the District will waive for students who meet the eligibility criteria for a waiver.

Notification

The Superintendent shall ensure that a notice of waiver applicability is provided to parents/guardians with every bill for fees and/or fines, and that applications for waivers are widely available and distributed according to State law and Ill. State Board of Education (ISBE) rule and that provisions for assisting parents/guardians in completing the application are available.

Eligibility Criteria

A student shall be eligible for a fee and fine waiver when:

1. The student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program;
2. The student's parents/guardians are veterans or active-duty military personnel with income at or below 200% of the federal poverty line; or
3. The student is homeless, as defined in the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a).

Verification

The Superintendent or designee shall establish a process for determining a student's eligibility for a waiver of fees and fines in accordance with State law requirements.

If a student receiving a waiver is found to be no longer eligible during the school year, the Superintendent or designee shall notify the student's parent/guardian and charge the student a prorated amount based upon the number of school days remaining in the school year.

Determination and Appeal

Within 30 calendar days after the receipt of a waiver request, the Superintendent or designee shall notify the parent/guardian whenever a waiver request is denied. The denial notice shall include: (1) the reason for the denial, (2) the process and timelines for making an appeal, and (3) a statement that the parent/guardian may reapply for a waiver any time during the school year if circumstances change. If the denial is appealed, the District shall follow the procedures for the resolution of appeals as provided in the ISBE rule on waiver of fees.

LEGAL REF.:

42 U.S.C. §11434a, McKinney-Vento Homeless Assistance Act.

105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.

23 III.Admin.Code §1.245 [may contain unenforceable provisions].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:140 (Education of Homeless Children)

Adopted: January 19, 2023

Leyden CHSD 212

4:140-E Exhibit - Student Fees and Fines

Student Registration Fee

1. A basic fee is required for enrollment and includes textbook rental, Chromebook rental, and Physical Education uniform and combination lock for freshman and new students. If the lock and/or PE uniform must be replaced for any reason during the remainder of the student's high school career, it is the student's responsibility to replace the item(s).
2. The basic fee structure is the same for all enrolling students - \$150.00 for all students registering before the due date and \$190.00 for all students registering after the due date. The early registration discount will ensure a smooth opening of the school year in August.
3. If a student withdraws within ten days after the first day of attendance, a refund of \$140.00 will be given. If the student withdraws on the 11th day or later, no refund will be given. If the student re-enters later in the year, the \$190.00 enrollment fee will be charged again.

Textbook Fines

1. If a student does not return a district-owned textbook, the student will be obligated to pay the replacement cost of the book.
2. If a district-owned textbook must be rebound, the student will be charged the rebinding cost.

DATED : August 18, 2022

Leyden CHSD 212

4:150 Facility Management and Building Programs

The Chief Financial Officer shall manage the District's facilities and grounds as well as facility construction and building programs in accordance the law, the standards set forth in this policy, and other applicable Board policies. The Chief Financial Officer or designee shall cooperate with and facilitate: (1) inspections of schools by the appropriate Intermediate Service Center and State Fire Marshal or designee, (2) review of plans and specifications for future construction or alterations of a school if requested by the relevant municipality, county (if applicable), or fire protection district, and (3) compliance with the 10-year safety survey process required by the School Code.

Standards for Managing Buildings and Grounds

All District buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy efficient physical environment for learning and teaching. The Superintendent or designee shall provide the Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. Prior Board of Education approval is needed for all renovations or permanent alterations to buildings or grounds when the total cost will exceed \$25,000, unless exempted by law, including the cost equivalent of staff time. This policy is not intended to discourage efforts to improve the appearance of buildings or grounds that are consistent with the designated use of those buildings and grounds.

Standards for Facility Construction and Building Programs

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

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

1. Integrate facilities planning with other aspects of planning and goal-setting.
2. Base educational specifications for school buildings on identifiable student needs.
3. Design buildings for sufficient flexibility to permit new or modified programs.
4. Meet life safety requirements and code and other applicable building codes and laws.
5. Meet requirements on the accessibility of school facilities to disabled persons as specified in State or federal law.
6. Provide for low maintenance costs and energy efficiency.
7. Meet life safety code and other applicable building codes and laws.

LEGAL REF.:

42 U.S.C. §12101 et seq., Americans with Disabilities Act of 1990, implemented by 28 C.F.R. Parts 35 and 36.

20 ILCS 3130/, Green Buildings Act.

105 ILCS 5/2-3.12, 5/10-20.49, 5/10-22.36, 5/10-20.63 and 5/17-2.11.

105 ILCS 140/, Green Cleaning Schools Act.

105 ILCS 230/, School Construction Law.

410 ILCS 25/, Environmental Barriers Act.

410 ILCS 35/25, Equitable Restrooms Act.

820 ILCS 130/, Prevailing Wage Act.

23 Ill.Admin.Code Part 151, School Construction Program; Part 180, Health/Life Safety Code for Public Schools; and Part 2800, Green Cleaning for Elementary and Secondary Schools.

71 Ill.Admin.Code Part 400, Ill. Accessibility Code.

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

Adopted: January 16, 2020

Leyden CHSD 212

4:160 Environmental Quality of Buildings and Grounds

The Superintendent shall take all reasonable measures to protect: (1) the safety of District personnel, students, and visitors on District premises from risks associated with hazardous materials and (2) the environmental quality of the District's buildings and grounds.

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

Pesticides

Restricted use pesticides will not be applied on or within 500 feet of school property during normal school hours. Before pesticides are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/.

Coal Tar Sealant

Beginning on 1-1-23, before coal tar-based sealant products or high polycyclic aromatic hydrocarbon sealant products are used on District premises, the Superintendent or designee shall notify employees and parents/guardians of students in writing or by telephone as required by the Coal Tar Sealant Disclosure Act.

LEGAL REF.:

105 ILCS 5/10-20.17a; 5/10-20.48.

29 C.F.R. §1910.1030, Occupational Exposure to Bloodborne Pathogens, as adopted by the Illinois Department of Labor, 56 Ill.Admin.Code §350.700(b).

29 C.F.R. §1910.1200, Occupational Safety and Health Administration Hazard Communication Standards, as adopted by 820 ILCS 255/1.5, Toxic Substances Disclosure to Employees Act.

20 ILCS 3130/, Green Buildings Act.

105 ILCS 135/, Toxic Art Supplies in Schools Act.

105 ILCS 140/, Green Cleaning School Act.

225 ILCS 235/, Structural Pest Control Act.

415 ILCS 60/14, Illinois Pesticide Act.

415 ILCS 65/, Lawn Care Products Application and Notice Act.

410 ILCS 170/, Coal Tar Sealant Disclosure Act.

820 ILCS 255/, Toxic Substances Disclosure to Employees Act. (*inoperative*)

23 Ill.Admin.Code §1.330.

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

Adopted: January 20, 2022

4:165 Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors

Child sexual abuse and grooming behaviors harm students, their parents/guardians, the District's environment, its school communities, and the community at large, while diminishing a student's ability to learn. The Board has a responsibility and obligation to increase awareness and knowledge of: (1) issues regarding child sexual abuse, (2) likely warning signs that a child may be a victim of sexual abuse, (3) grooming behaviors related to child sexual abuse and grooming, (4) how to report child sexual abuse, (5) appropriate relationships between District employees and students based upon State law, and (6) how to prevent child sexual abuse.

To address the Board's obligation to increase awareness and knowledge of these issues, prevent sexual abuse of children, and define prohibited grooming behaviors, the Superintendent or designee shall implement an Awareness and Prevention of Sexual Abuse and Grooming Behaviors Program. The Program will:

1. Educate students with:
 - a. An age-appropriate and evidence-informed health and safety education curriculum that includes methods for how to report child sexual abuse and grooming behaviors to authorities, through policy 6:60, *Curriculum Content*;
 - b. Information in policy 7:250, *Student Support Services*, about: (i) District counseling options, assistance, and intervention for students who are victims of or affected by sexual abuse, and (ii) community-based Children's Advocacy Centers and sexual assault crisis centers and how to access those serving the District.
2. Train District employees about child sexual abuse and grooming behaviors by January 31 of each school year with materials that include:
 - a. A definition of prohibited grooming behaviors and employee-student boundary violations pursuant to policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*;
 - b. Evidence-informed content on preventing, recognizing, reporting, and responding to child sexual abuse, grooming behaviors, and employee-student boundary violations pursuant to policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; 5:90, *Abused and Neglected Child Reporting*; 5:100, *Staff Development Program*; and 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; and
 - c. How to report child sexual abuse, grooming behaviors, and/or employee-student boundary violations pursuant to policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.
3. Provide information to parents/guardians in student handbooks about the warning signs of child sexual abuse, grooming behaviors, and employee-student boundary violations with evidence-informed educational information that also includes:
 - a. Assistance, referral, or resource information, including how to recognize grooming behaviors, appropriate relationships between District employees and students based upon policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, and how to prevent child sexual abuse from happening;
 - b. Methods for how to report child sexual abuse, grooming behaviors, and/or employee-student boundary violations to authorities; and
 - c. Available counseling and resources for children who are affected by sexual abuse, including both emotional and educational support for students affected by sexual abuse, so that the student can continue to succeed in school pursuant to policy 7:250, *Student Support Services*.

LEGAL REF.:

105 ILCS 5/10-23.13, 5/22-85.5, 5/27-9.1a, and 5/27-13.2.

105 ILCS 110/3, Critical Health Problems and Comprehensive Health Education Act.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

720 ILCS 5/11-25, Criminal Code of 2012.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 7:20 (Harassment of Students Prohibited), 7:250 (Student Support Services)

Adopted: January 19, 2023

Leyden CHSD 212

4:170 Safety

Safety and Security

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

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

School Safety Drill Plan

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

1. Three school evacuation drills to address and prepare students and school personnel for fire incidents. One of these three drills shall require the participation of the local fire department or district.
2. One bus evacuation drill.
3. One severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents.
4. One law enforcement lockdown drill to address a school shooting incident and to evaluate the preparedness of school personnel and students. This drill shall occur no later than 90 days after the first day of school of each year, and shall require the participation of all school personnel and students present at school at the time of the drill, except for those exempted by administrators, school support personnel, or a parent/guardian.

Annual Review

The Board or its designee will annually review each school building's emergency operations and crisis response plan(s), protocols, and procedures, as well as each building's compliance with the school safety drill plan. This annual review shall be in accordance with the School Safety Drill Act (105 ILCS 128/) and the Joint Rules of the Office of the State Fire Marshal and the Illinois State Board of Education (ISBE) 29 Ill.Admin.Code Part 1500.

Automated External Defibrillator (AED)

The Superintendent or designee shall implement a written plan for responding to medical emergencies at the District's physical fitness facilities in accordance with the Fitness Facility Medical Emergency Preparedness Act and shall file a copy of the plan with the Ill. Dept. of Public Health (IDPH). The plan shall provide for at least one automated external defibrillator (AED) to be available at every physical fitness facility on the premises according to State law requirements.

The District shall have an AED on site as well as a trained AED user: (1) on staff during staffed business hours; and (2) available during activities or events sponsored and conducted or supervised by the District. The Superintendent or designee shall ensure that every AED on the District's premises is properly tested and maintained in accordance with rules developed by the IDPH. This policy does

not create an obligation to use an AED.

Carbon Monoxide Alarms

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

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

Soccer Goal Safety

The Superintendent or designee shall implement the Movable Soccer Goal Safety Act in accordance with the guidance published by the IDPH. Implementation of the Act shall be directed toward improving the safety of movable soccer goals by requiring that they be properly anchored.

Unsafe School Choice Option

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

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

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

Lead Testing in Water

The Superintendent or designee shall implement testing for lead in each source of drinking water in school buildings in accordance with the Ill. Plumbing License Law and guidance published by the IDPH. The Superintendent or designee shall notify parent(s)/guardian(s) about the sampling results from their children's respective school buildings.

Emergency Closing

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

LEGAL REF.:

105 ILCS 5/10-20.2, 5/10-20.57, 5/18-12, and 5/18-12.5.

105 ILCS 128/, School Safety Drill Act; 29 Ill.Admin.Code Part 1500.

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

225 ILCS 320/35.5, Ill. Plumbing License Law.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:30 (Hiring Process

and Criteria), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

Adopted: January 20, 2022

Leyden CHSD 212

4:175 Convicted Child Sex Offender; Screening; Notifications

Persons Prohibited on School Property without Prior Permission

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

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

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

Screening

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

Notification to Parents/Guardians

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

LEGAL REF.:

20 U.S.C. §7926, Elementary and Secondary Education Act.

20 ILCS 2635/, Uniform Conviction Information Act.

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

730 ILCS 152/, Sex Offender Community Notification Law.

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

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the

Building Principal), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

Adopted: January 20, 2022

Leyden CHSD 212

4:180 Pandemic Preparedness; Management; and Recovery

The Board of Education recognizes that the District will play an essential role along with the local health department and emergency management agencies in protecting the public's health and safety during a pandemic.

A pandemic is a global outbreak of disease. Pandemics happen when a new virus emerges to infect individuals and, because there is little to no pre-existing immunity against the new virus, it spreads sustainably.

To prepare the School District community for a pandemic, the Superintendent or designee shall: (1) learn and understand how the roles that the federal, State, and local government function; (2) form a pandemic planning team consisting of appropriate District personnel and community members to identify priorities and oversee the development and implementation of a comprehensive pandemic school action plan; and (3) build awareness of the final plan among staff, students, and community.

Emergency School Closing

In the case of a pandemic, the Governor may declare a disaster due to a public health emergency that may affect any decision for an emergency school closing. Decisions for an emergency school closing will be made by the Superintendent in consultation with and, if necessary, at the direction of the Governor, Ill. Dept. of Public Health, District's local health department, emergency management agencies, and/or Intermediate Service Center.

During an emergency school closing, the Board President and the Superintendent may, to the extent the emergency situation allows, examine existing Board policies pursuant to Policy 2:240, *Board Policy Development*, and recommend to the Board for consideration any needed amendments or suspensions to address mandates that the District may not be able to accomplish or implement due to a pandemic.

Board Meeting Procedure; No Physical Presence of Quorum and Participation by Audio or Video

A disaster declaration related to a public health emergency may affect the Board's ability to meet in person and generate a quorum of members who are physically present at the location of a meeting. Policy 2:220, *Board of Education Meeting Procedure*, governs Board meetings by video or audio conference without the physical presence of a quorum.

Payment of Employee Salaries During Emergency School Closures

The Superintendent shall consult with the Board to determine the extent to which continued payment of salaries and benefits will be made to the District's employees, pursuant to Board policies 3:40, *Superintendent*, 3:50, *Administrative Personnel Other Than the Superintendent*, 5:35, *Compliance with the Fair Labor Standards Act*, 5:200, *Terms and Conditions of Employment and Dismissal*, and 5:270, *Employment At-Will, Compensation, and Assignment*, and consistent with: (1) applicable laws, regulations, federal or State or local emergency declarations, executive orders, and agency directives; (2) collective bargaining agreements and any bargaining obligations; and (3) the terms of any grant under which an employee is being paid.

Suspension of In-Person Instruction; Remote and/or Blended Remote Learning Day Plan(s)

When the Governor declares a disaster due to a public health emergency pursuant to 20 ILCS 3305/7, and the State Superintendent of Education declares a requirement for the District to use *Remote Learning Days* or *Blended Remote Learning Days*, the Superintendent shall approve and present to the Board for adoption a Remote and/or Blended Remote Learning Day Plan (Plan) that:

1. Recommends to the Board for consideration any suspensions or amendments to curriculum-

related policies to reduce any Board-required graduation or other instructional requirements in excess of minimum curricular requirements specified in School Code that the District may not be able to provide due to the pandemic;

2. Implements the requirements of 105 ILCS 5/10-30 by adapting into a Plan the District's e-learning program implemented pursuant to 105 ILCS 5/10-20.56; and
3. Ensures a plan for periodic review of and/or amendments to the Plan when needed and/or required by statute, regulation, or State guidance.

LEGAL REF.:

105 ILCS 5/10-16.7, 5/10-20.5, 5/10-20.56, and 5/10-30.

5 ILCS 120/2.01 and 120/7(e), Open Meetings Act.

20 ILCS 2305/2(b), Ill. Dept. of Public Health Act (Part 1).

20 ILCS 3305/, Ill. Emergency Management Agency Act.

115 ILCS 5/, Ill. Educational Labor Relations Act.

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:20 (Powers and Duties of the Board of Education; Indemnification), 2:220 (Board of Education Meeting Procedure), 2:240 (Board Policy Development), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:70 (Succession of Authority), 4:170 (Safety), 5:35 (Compliance with the Fair Labor Standards Act), 5:200 (Terms and Conditions of Employment and Dismissal), 5:270 (Employment At-Will, Compensation, and Assignment), 6:20 (School Year Calendar and Day), 6:60 (Curriculum Content), 6:300 (Graduation Requirements), 7:90 (Release During School Hours), 8:100 (Relations with Other Organizations and Agencies)

Adopted: August 13, 2020

Leyden CHSD 212

4:190 Targeted School Violence Prevention Program

Threats and acts of targeted school violence harm the District's environment and school community, diminishing students' ability to learn and a school's ability to educate. Providing students and staff with access to a safe and secure District environment is an important Board goal. While it is not possible for the District to completely eliminate threats in its environment, a Targeted School Violence Prevention Program (Program) using the collective efforts of local school officials, staff, students, families, and the community helps the District reduce these risks to its environment.

The Superintendent or designee shall develop and implement the Program. The Program oversees the maintenance of a District environment that is conducive to learning and working by identifying, assessing, classifying, responding to, and managing threats and acts of targeted school violence. The Program shall be part of the District's Comprehensive Safety and Security Plan, required by Board policy 4:170, *Safety*, and shall:

1. Establish a District-level School Violence Prevention Team to: (a) develop a District-level Targeted School Violence Prevention Plan, and (b) oversee the District's Building-level Threat Assessment Team(s).
2. Establish Building-level Threat Assessment Team(s) to assess and intervene with individuals whose behavior may pose a threat to safety. This team may serve one or more schools.
3. Comply with State and federal law and align with Board policies.

The Local Governmental and Governmental Employees Tort Immunity Act protects the District from liability. The Program does not: (1) replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in violence prevention, assessments and counseling services, (2) extend beyond available resources within the District, (3) extend beyond the school day and/or school-sponsored events, or (4) guarantee or ensure the safety of students, District staff, or visitors.

LEGAL REF.:

105 ILCS 5/10-20.14, 5/10-21.7, 5/10-27.1A, 5/10-27.1B, 5/24-24, and 5/27-23.7.

105 ILCS 128/, School Safety Drill Act.

745 ILCS 10/, Local Governmental and Governmental Employees Tort Immunity Act.

29 Ill.Admin.Code Part 1500.

CROSS REF.: 2:240 (Board Policy Development), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention), 7:340 (Student Records), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

Adopted: January 16, 2020

SECTION 5 - PERSONNEL

Leyden CHSD 212

General Personnel

Leyden CHSD 212

5:10 Equal Employment Opportunity and Minority Recruitment

The School District shall provide equal employment opportunities to all persons regardless of their race, color, creed, religion, national origin, sex, sexual orientation, age, ancestry, marital status, arrest record, military status, order of protection status, unfavorable military discharge, citizenship status provided the individual is authorized to work in the United States, work authorization status; use of lawful products while not at work; being a victim of domestic violence, sexual violence, gender violence, or any other crime of violence; genetic information; physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation; pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; conviction record, unless authorized by law; or other legally protected categories. 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/.

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.

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.

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.

Nondiscrimination Coordinator:

Dr. Tatiana Bonuma

3400 Rose St., Franklin Park, IL 60131

tbonuma@leyden212.org

847-451-3021

Complaint Managers:

Dr. Dominic Manola

3400 Rose St., Franklin Park, IL 60131

dmanola@leyden212.org

847-451-3023

Mr. Arturo Senteno

1000 N. Wolf Rd., Northlake, IL 60164

asenteno@leyden212.org

847-451-3154

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.

Minority Recruitment

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

LEGAL REF.:

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; 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; 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, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.

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, 5/2-101, 5/2-102, 5/2-103, 5/2-103.1, 5/2-104(D) and 5/6-101, Ill. Human Rights Act.

775 ILCS 35/, 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 (Preventing Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

Adopted: July 21, 2022

Leyden CHSD 212

5:20 Workplace Harassment Prohibited

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, religion, national origin, ancestry, sex, sexual orientation, age, citizenship status, work authorization 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, 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

The 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.

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 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. 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* (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.

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

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.

An 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

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.

Nondiscrimination Coordinator:

Dr. Tatiana Bonuma

3400 Rose St., Franklin Park, IL 60131

tbonuma@leyden212.org

847-451-3021

Complaint Managers:

Dr. Dominic Manola

3400 Rose St., Franklin Park, IL 60131

dmanola@leyden212.org

847-451-3023

Mr. Arturo Senteno

1000 N. Wolf Rd., Northlake, IL 60164

asenteno@leyden212.org

847-451-3154

Investigation Process

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. Any employee 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.

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 designee 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; Code of Professional Conduct; and Conflict of Interest*, 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

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.

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

A violation of this policy by an employee may result in discipline, up to and including discharge. 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, e.g., vendor, parent, invitee, etc. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee may be up to and including discharge.

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 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/).

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

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.

LEGAL REF.:

42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. §1604.11.

20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.

5 ILCS 430/70-5(a), State Officials and Employees Ethics 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, Ill. Human Rights Act.

56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.

Vance v. Ball State Univ., 570 U.S. 421 (2013).

Crawford v. Metro. Gov't of Nashville & Davidson Cnty., 555 U.S. 271 (2009).

Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).

Oncale v. Sundowner Offshore Servs., 523 U.S. 75 (1998).

Burlington Indus. v. Ellerth, 524 U.S. 742 (1998).

Faragher v. City of Boca Raton, 524 U.S. 775 (1998).

Harris v. Forklift Systems, 510 U.S. 17 (1993).

Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).

Porter v. Erie Foods Int, Inc., 576 F.3d 629 (7th Cir. 2009).

Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004).

Berry v. Delta Airlines, 260 F.3d 803 (7th Cir. 2001).

Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

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; Code of Professional Conduct; and Conflict of Interest), 7:20 (Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School Property)

Adopted: January 19, 2023

Leyden CHSD 212

5:20-E Resolution to Prohibit Sexual Harassment

WHEREAS, Section 10-20 of the School Code (105 ILCS 5/10-20) grants school boards other powers that are not inconsistent with their duties;

WHEREAS, Section 1-5 of the State Officials and Employees Ethics Act (5 ILCS 430/1-5) includes school districts within the definition of a *governmental entity*;

WHEREAS, Section 5-65 of the State Officials and Employees Ethics Act (5 ILCS 430/5-65, added by P.A. 100-554) provides that all persons have a right to work in an environment free from sexual harassment;

WHEREAS, Section 70-5 of the State Officials and Employees Ethics Act (5 ILCS 430/70-5, amended by P.A.s 100-554 and 101-221) requires governmental entities to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment which, at a minimum, includes: (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; (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the Act, the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (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 a Board member by a fellow Board member or other elected official;

THEREFORE, BE IT RESOLVED, by the Board of Education of Leyden CHSD 212, Cook County, Illinois, as follows:

Section 1: The Board adopts Board policies 2:105, *Ethics and Gift Ban*, and 5:20, *Workplace Harassment Prohibited*, attached as Exhibit A, which collectively contain the following: (1) a prohibition on sexual harassment; (2) detail regarding how an individual can report an allegation of sexual harassment, including options for making a confidential report to an immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, a Complaint Manager, or the Ill. Dept. of Human Rights; (3) a prohibition on retaliation for reporting sexual harassment allegations and a statement regarding the availability of whistleblower protections under the State Officials and Employees Ethics Act, the Whistleblower Act, and the Ill. Human Rights Act; and (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 a Board member by a fellow Board member or other elected official.

Section 2: Any prior versions of Board policies 2:105, *Ethics and Gift Ban*, and 5:20, *Workplace Harassment Prohibited*, adopted by the Board are superseded by this Resolution.

Section 2: Any prior versions of Board policy 5:20, *Workplace Harassment Prohibited*, adopted by the Board are superseded by this Resolution.

Adopted this 16th day of January, 2020.

Attested by: Board President

Attested by: Board Secretary

5:30 Hiring Process and Criteria

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with Board of Education policy on equal employment opportunity and minority recruitment. The Superintendent is responsible for recruiting personnel and making hiring recommendations to the Board. If the Superintendent's recommendation is rejected, the Superintendent must submit another. No individual will be employed who has been convicted of a criminal offense listed in 105 ILCS 5/21B-80(c).

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

Job Descriptions

The Board maintains the Superintendent's job description and directs, through policy, the Superintendent, in his or her charge of the District's administration.

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

Investigations

The Assistant Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure that these checks are completed. The Superintendent or designee, or if the applicant is a successful superintendent candidate, then the Board President shall notify an applicant if the applicant is identified in either database. All investigation reports received from the Ill. State Police and the Federal Bureau of Investigation will be sent directly to the Superintendent or Assistant Superintendent. The reports shall be kept confidential and may be disclosed only to the Board President, the appropriate Intermediate Service Center Executive Director, the State Superintendent, the State Educator Preparation and Licensure Board, or any other person necessary in the decision to hire the applicant as determined by the Superintendent.

Each newly hired employee must complete a U.S. Citizenship and Immigration Services Form as required by federal law.

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in 105 ILCS 5/21B-80 or who falsifies, or omits facts from, his or her employment application or other employment documents. If an indicated finding of abuse or neglect of a child has been issued by the Ill. Department of Children and Family Services or by a child welfare agency of another jurisdiction for any applicant for student teaching, applicant for employment, or any District employee, then the Board must consider that person's status as a condition of employment.

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

1. The District uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. The District does not screen applicants based on their current or prior wages or salary histories, including benefits or other compensation, by requiring that the wage or salary history satisfy minimum or maximum criteria.

3. The District does not request or require a wage or salary history as a condition of being considered for employment, being interviewed, continuing to be considered for an offer of employment, an offer of employment, or an offer of compensation.
4. The District does not request or require an applicant to disclose wage or salary history as a condition of employment.
5. The District does not ask an applicant or applicant's current or previous employers about wage or salary history, including benefits or other compensation.
6. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act.
7. The District does not request of an applicant or employee access in any manner to his or her personal online account, such as social networking websites, including a request for passwords to such accounts.
8. The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Sexual Misconduct Related Employment History Review (EHR)

Prior to hiring an applicant for a position involving *direct contact with children or students*, the Superintendent shall ensure that an EHR is performed as required by State law. When the applicant is a superintendent candidate, the Board President shall ensure that the EHR is initiated before a successful superintendent candidate is offered employment by the Board.

Physical Examinations

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. The physical fitness examination must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination performed no more than 90 days before submitting evidence of it to the District.

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

Orientation Program

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

Student Employees

The Board may employ students enrolled in District 212 to perform work for the District in compliance with applicable State and federal law, including the Illinois Child Labor Law, 820 ILCS 205/1 *et seq.* Student employees shall be subject to the Board's personnel policies and requirements for all applicants for employment to District 212 as well as the requirements for new District employees, as applicable.

LEGAL REF.:

42 U.S.C. §12112, Americans with Disabilities Act; 29 C.F.R. Part 1630.

15 U.S.C. § 1681 et seq., Fair Credit Reporting Act.

8 U.S.C. §1324a et seq., Immigration Reform and Control Act.

105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/10-22.34, 5/10-22.34b, 5/21B-10, 5/21B-80, 5/21B-85, 5/22-6.5, 5/22-94, and 5/24-5.

20 ILCS 2630/3.3, Criminal Identification Act.

820 ILCS 55/, Right to Privacy in the Workplace Act.

820 ILCS 70/, Employee Credit Privacy Act.

Duldulao v. St. Mary of Nazareth Hospital, 136 Ill. App. 3d 763 (1st Dist. 1985), *aff'd in part and remanded* 115 Ill.2d 482 (Ill. 1987).

Kaiser v. Dixon, 127 Ill. App. 3d 251 (2nd Dist. 1984).

Molitor v. Chicago Title & Trust Co., 325 Ill. App. 124 (1st Dist. 1945).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 3:50 (Administrative Personnel Other Than the Superintendent), 4:60 (Purchases and Contracts), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:220 (Substitute Teachers), 5:260 (Student Teachers), 5:280 (Duties and Qualifications), 6:250 (Community Volunteers)

Adopted: May 18, 2023

Leyden CHSD 212

5:32 Employment of Relatives of Board Members, Administrators, and Other Employees

The Board of Education intends to avoid "conflict of interest" in employment. The Superintendent and his staff who do the recruiting and interviewing, while seeking the very best person for the position, should be sensitive to the possibility of controversy over the selection of that person, background in politics, relationship to other employees, questionable character, etc.

Section I - Relative of Board Member, Administrator, Department Chairperson, Supervisor, Foremen, or Coordinator.

It shall be the policy of the Board of Education District 212 that no family member (or relative) of a member of the Board of Education, Administration, Department Chairperson, Supervisor, Foremen, or Coordinator shall be employed as a part-time, temporary, or full-time employee. This includes both certificated and non-certificated employees.

Family members or relatives in this section shall be defined as spouse (by marriage or civil union), mother, father, child, brother, sister, any step-relationship of these individuals, any marital relationship, including niece, nephew, in-law, and cousin including a second cousin.

Section II - Family Member or Relative of Other Employees

Family members or relatives of any present full-time employee (40 hours per week for 10/12 months per year) shall not be hired for full-time (40 hours per week for 10/12 months per year) positions in the school district. Less than 40 hour positions shall not be affected in hiring under this section.

Family members or relatives in this section shall be defined as spouse (by marriage or civil union), mother, father, child, brother, sister, in-law, and any step-relationship of these individuals. This section shall not include niece, nephew, and cousin, and will permit their being hired for full-time positions in the school district.

This policy is not retroactive and would not result in dismissal if one employee marries another employee.

This policy is declared to be non-punitive in nature or intent.

ADOPTED:December 15, 2016

Leyden CHSD 212

5:35 Compliance with the Fair Labor Standards Act

Job Classifications

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

Workweek and Compensation

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

Educational Support Staff - Overtime

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

Suspension Without Pay

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

Implementation

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

LEGAL REF.:

820 ILCS 105/4a.

Fair Labor Standards Act, 29 U.S.C. §201 et seq., 29 C.F.R. Parts 516, 541, 548, 553, 778, and 785.

CROSS REF.: 5:240 (Suspension), 5:290 (Employment Termination and Suspensions)

Adopted: September 12, 2019

5:40 Communicable and Chronic Infectious Disease

The Superintendent or designee shall develop and implement procedures for managing known or suspected cases of a communicable and chronic infectious disease involving District employees that are consistent with State and federal law, Illinois Department of Public Health rules, and Board of Education policies.

An employee with a communicable or chronic infectious disease is encouraged to inform the Superintendent immediately and grant consent to being monitored by the District's Health Care Aides. The Health Care Aide provides information and recommendations to the Superintendent concerning the employee's conditions of employment and necessary accommodations. The Health Care Aide shall hold the employee's medical condition and records in strictest confidence, except to the extent allowed by law.

An employee with a communicable or chronic infectious disease will be permitted to retain his or her position whenever, after reasonable accommodations and without undue hardship, there is no substantial risk of transmission of the disease to others, provided an employee is able to continue to perform the position's essential functions. An employee with a communicable and chronic infectious disease remains subject to the Board's employment policies including sick and/or other leave, physical examinations, temporary and permanent disability, and termination.

LEGAL REF.:

42 U.S.C. §12101 et seq., Americans With Disabilities Act, amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325; 29 C.F.R. §1630.1 et seq.

29 U.S.C. §791, Rehabilitation Act of 1973; 34 C.F.R. §104.1 et seq.

105 ILCS 5/24-5.

20 ILCS 2305/6, Department of Public Health Act.

820 ILCS 40/, Personnel Record Review Act.

77 Ill.Admin.Code Part 690, Control of Communicable Diseases.

CROSS REF.: 2:150 (Committees), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

Adopted: August 13, 2020

5:50 Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition

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

All employees are prohibited from engaging in any of the following activities while on District premises or while performing work for the District:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance, or being impaired by or under the influence of any illegal substance or any detectible use of any illegal substance regardless of when or where the use occurred.
2. Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage; being present on District premises or while performing work for the District when alcohol consumption is detectible, regardless of when and/or where the use occurred.
3. Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis; being present on District premises or while performing work for the District when impaired by or under the influence of cannabis, regardless of when and/or where the use occurred, unless distribution, possession, and/or use is by a school nurse or school administrator pursuant to *Ashley's Law*, 105 ILCS 5/22-33. The District considers employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position.

Upon the Superintendent or designee's reasonable suspicion of an employee's violation of any of the prohibited activities stated above, the Superintendent or designee may direct the employee to undergo a drug and/or alcohol test to corroborate or refute the alleged violation. State law protects the District from liability when it takes actions pursuant to a reasonable workplace drug policy, including but not limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test.

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

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

For purposes of this policy, *District premises* means workplace as defined in the Cannabis Regulation and Tax Act (CRTA) in addition to District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a Board of Education meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. *School grounds* means the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground, designated school bus stops where students are waiting for the school bus, and school-sponsored or school-sanctioned events or activities. "Vehicles used for school purposes" means school buses or other school vehicles.

As a condition of employment, each employee shall:

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

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

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

1. Provide each employee with a copy of this policy.
2. Post notice of this policy in a place where other information for employees is posted.
3. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations.
4. Enlist the aid of community and State agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees.
5. Establish a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace,
 - b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
 - c. The penalties that the District may impose upon employees for violations of this policy.

E-Cigarette, Tobacco, and Cannabis Prohibition

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

Tobacco has the meaning provided in 105 ILCS 5/10-20.5b.

Cannabis has the meaning provided in the CRTA, 410 ILCS 705/1-10.

E-Cigarette is short for electronic cigarette and includes, but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device.

District Action Upon Violation of Policy

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

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

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

Disclaimer

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

LEGAL REF.:

42 U.S.C. §12114, Americans With Disabilities Act.

21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15, Controlled Substances Act.

41 U.S.C. §8101 et seq., Drug-Free Workplace Act of 1988.

20 U.S.C. §7101 et seq., Safe and Drug-Free School and Communities Act of 1994.

30 ILCS 580/, Drug-Free Workplace Act.

105 ILCS 5/10-20.5b.

410 ILCS 82/, Smoke Free Illinois Act.

410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.

410 ILCS 705/1-1 et seq., Cannabis Regulation and Tax Act.

720 ILCS 675, Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act.

820 ILCS 55/, Right to Privacy in the Workplace Act.

21 C.F.R. Parts 1100, 1140, and 1143.

23 Ill.Admin.Code §22.20.

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

Adopted: January 20, 2022

Leyden CHSD 212

5:60 Expenses

The Board regulates the reimbursement of all travel, meal, and lodging expenses by resolution. Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the employee, (2) anyone's personal expenses, or (3) entertainment expenses. Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event. The District is not responsible for losses due to an employee's own negligence, losses due to normal wear, or losses due to theft, unless the theft was a result of the District's negligence. Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following:

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

Advancements

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

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

Reimbursements and Purchase Orders

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

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

Use of Credit and Procurement Cards

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

Exceeding the Maximum Allowable Expense Amount(s)

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

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

Registration

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

Travel

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

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

Meals

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

Lodging

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

Miscellaneous Expenses

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

Additional Requirements for Travel Expenses Charged to Federal and State Grants

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

Expenses for travel, including expenses for transportation, lodging, meals, and related items incurred

by employees and charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act (30 ILCS 708/) must also meet the following requirements:

1. The participation of the employee is necessary to the award, and the costs are specifically related to the award.
2. Expenses must be permissible under the terms and conditions of the award.
3. Expenses must be reasonable and consistent with this policy.
4. The Board does not reimburse actual expenses or pay a per diem allowance unless the employee is on official *travel status* for more than 12 hours. However, employees remain eligible for mileage reimbursement (minus regular commuting mileage/costs) and other transportation expenses if on travel status less than 12 hours.
5. Expenses may be charged based on an actual cost basis or on a per diem basis in lieu of actual costs incurred; however, only one method may be applied per trip.
6. Commercial airfare costs in excess of the least expensive coach or economy class are prohibited except when such accommodations would: (1) require circuitous routing; (2) require travel during unreasonable hours; (3) excessively prolong travel; (4) result in additional costs that would offset transportation savings; or (5) offer accommodations not reasonably adequate for the traveler's medical needs. Qualifying circumstances must be explained on the expense form, and Board approval of the additional expense is required.
7. Per diem rates and actual reimbursement amounts for mileage, meals, and lodging may not exceed the rates established by the Governor's Travel Control Board or federal travel regulations, whichever is less. These limits do not apply when: (1) an employee stays in the lowest-priced room available at or near a hotel where a conference or seminar is located or in accommodations arranged by the conference/seminar organization, or (2) lodging at or below the established rate is unavailable. In those cases, the employee will be reimbursed for actual lodging expenses with prior approval, but in no case will the reimbursement exceed 300% of the applicable maximum per diem rate. If a conference fee includes a meal, the meal or per diem allowance will be reduced by the actual value of the meal or the applicable meal allowance, whichever is less.
8. Employees must use the least expensive compact car available when using a rental car for travel, unless an exception is approved. The Board does not reimburse employees for collision damage waiver or theft insurance.
9. The Board will reimburse travel expenses not chargeable to an award from other District funds consistent with this policy.

LEGAL REF.:

2 C.F.R. §200.474.

30 ILCS 708/130, Grant Accountability and Transparency Act.

50 ILCS 150/, Local Government Travel Expense Control Act.

105 ILCS 5/10-22.32.

820 ILCS 115/9.5, Ill. Wage Payment and Collection Act.

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

Adopted: April 30, 2020

5:60-E1 Exhibit - Employee Expense Reimbursement Form

Submit to the Superintendent. Use of this form is required by 2:125-E3, Resolution to Regulate Expense Reimbursements. Please print and attach receipts for all expenditures.

Name: _____

Title/Office: _____

Destination: _____

Purpose: _____

Departure Date: _____

Return Date: _____

Receipts attached

Request Date: _____

Estimated expenses attached (Completed 5:60-E2, Employee Estimated Expense Approval Form)(pre-approval is required for federal and state grants).

Approved expense advancement (voucher) attached, if applicable* (Completed 5:60-E2, Employee Estimated Expense Approval Form.)

Actual Expense Report

*Employees will be reimbursed for actual and necessary expenses that exceed the amount advanced, but must refund any expense advancement that exceeds the actual and necessary expenses incurred. 105 ILCS 5/10-22.32. For federal and State grants, employees will be reimbursed for actual and necessary expenses that exceed estimated expenses as permitted by Board policy 5:60, Expenses.

Auto Travel Allowance: _____ per mile

Date	Auto Mileage		Transp. Expenses	Lodging	Meals or Per Diem			Other Item Cost	Daily Total
	Miles	Cost			Bkfst	Lunch Dinner			
Subtotal									
Advances									-
TOTAL (A negative amount indicates refund due from employee.)									\$

Superintendent or Designee:

Approved

Denied

(below maximum allowable amount)

Approved in Part

Grant Funding Source (if applicable): _____

Superintendent or Designee Signature

Date

Comments: _____

Board Action (*exceeds maximum allowable amount*): **Approved** **Denied**

Approved in Part

Grant Funding Source (if applicable): _____

Employee Signature

Date

DATED : August 13, 2020

Leyden CHSD 212

5:60-E2 Exhibit - Employee Estimated Expense Approval Form

Submit to the Superintendent. Use of this form is required (1) by 2:125-E3, Resolution to Regulate Expense Reimbursements and (2) for pre-approval of expenses to be charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act. Please print.

Name: _____ Title/Office: _____

Travel Destination: _____ Purpose: _____

Estimated Expenses Approval Requested (50 ILCS 150/20 or grant expenditure)

Travel is grant-related* (specify grant): _____

Purchase Order Requested Purchase Order #: _____

Expense Advancement Voucher Requested (105 ILCS 5/10-22.32)

Voucher Amount: _____

Estimated Expense Report									
Departure date: _____					Return date: _____				
Auto Travel Allowance: _____ per mile									
* Grant-related travel only: Except for mileage and other transportation expenses, expense reimbursement/per diem is only allowed if on official travel status for 12 hours or more. If lodging at or below the applicable rate cannot be identified, please indicate below and attach at least three quotes for review.									
Date	Auto Mileage		Transp. Expenses	Lodging	Meals or Per Diem			Other Cost	Daily Total
	Miles	Cost			Bkfst	Lunch	Dinner		
Item									
Total									\$

Superintendent or Designee: Approved Denied

(below maximum allowable amount) Approved in Part

Grant Funding Source (if applicable): _____

Superintendent or Designee Signature

Date

Comments: _____

Board Action (*exceeds maximum allowable amount*):

Approved

Denied

Approved in Part

Grant Funding Source (if applicable): _____

Employee Signature

Date

DATED : August 13, 2020

Leyden CHSD 212

5:80 Court Duty

Witness Duty

The District will pay full salary during the time an employee is absent due to a subpoena to serve as a witness in a trial or have a deposition taken in any school-related matter pending in court.

Jury Duty

Employees who are required to serve on jury duty at times when they would be working shall be paid the difference between their regular salary and the amount received for jury duty, or the employee shall endorse over the check for jury duty to the School District. Employees may retain any amounts paid as expenses for jury duty. Employees must notify their immediate supervisor or designee as soon as possible after being summoned for jury duty and must furnish satisfactory evidence that jury duty was performed on the days for which salary is claimed.

LEGAL REF.:

105 ILCS 5/10-20.7.

705 ILCS 305/4.1, Jury Act.

Adopted: July 21, 2022

Leyden CHSD 212

5:90 Abused and Neglected Child Reporting

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 22, an abused or neglected individual with a disability, shall: (1) immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any District employee who believes a student is in immediate danger of harm, shall first call 911.

The report shall include, if known:

1. The name and address of the child, parent/guardian names, or other persons having custody;
2. The child's age;
3. The child's condition, including any evidence of previous injuries or disabilities; and
4. Any other information that the reporter believes may be helpful to DCFS for its investigation.

The employee shall also promptly notify the Superintendent or Building Principal that a report has been made. The Superintendent or Building Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement. Negligent failure to report occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

Any District employee who discovers child pornography on electronic and information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's CyberTipline 1-800-THE-LOST (1-800-843-5678) or online at report.cybertip.org/ or www.missingkids.org. The Superintendent or Building Principal shall also be promptly notified of the discovery and that a report has been made.

Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.

Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Erin's Law* Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect.

All District employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.
3. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors (including *sexual misconduct* as defined in *Faith's Law*), and boundary violations as

required by law and policy 5:100, *Staff Development Program*.

Alleged Incidents of Sexual Abuse: Investigations

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, 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.

If a District employee reports an alleged incident of sexual abuse to DCFS and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC). The Superintendent or designee will implement procedures to coordinate with the CAC.

DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited*.

Special Superintendent Responsibilities

The Superintendent shall execute the requirements in Board policy 5:150, *Personnel Records*, whenever another school district requests a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS.

When the Superintendent has reasonable cause to believe that a license holder (1) committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA or an act of sexual misconduct under *Faith's Law*, and (2) that act resulted in the license holder's dismissal or resignation from the District, the Superintendent shall notify the State Superintendent and the appropriate Intermediate Service Center Executive Director in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

The Superintendent shall develop procedures for notifying a student's parents/guardians when a District employee, contractor, or agent is alleged to have engaged in sexual misconduct with the student as defined in *Faith's Law*. The Superintendent shall also develop procedures for notifying the student's parents/guardians when the Board takes action relating to the employment of the employee, contractor, or agent following the investigation of sexual misconduct. Notification shall not occur when the employee, contractor, or agent alleged to have engaged in sexual misconduct is the student's parent/guardian, and/or when the student is at least 18 years of age or emancipated.

The Superintendent shall execute the recordkeeping requirements of *Faith's Law*.

Special Board of Education Member Responsibilities

Each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.

If the Board determines that any District employee, other than an employee licensed under 105 ILCS 5/21B, has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Board may dismiss that employee immediately.

When the Board learns that a licensed teacher was convicted of any felony, it must promptly report it to

the State agencies listed in policy 2:20, *Powers and Duties of the Board of Education; Indemnification*.

LEGAL REF.:

20 U.S.C. §7926, Elementary and Secondary Education Act.

105 ILCS 5/10-21.9, 5/10-23.13, 5/21B-85, 5/22-85.5, and 5/22-85.10.

20 ILCS 1305/1-1 et seq., Department of Human Services Act.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

720 ILCS 5/12C-50.1, Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the Board of Education; Indemnification), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:60 (Administrative Responsibility of the Building Principal), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

Adopted: May 18, 2023

Leyden CHSD 212

5:100 Staff Development Program

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 include the Abused and Neglected Child Reporting Act (ANCRA), School Code, and awareness and prevention of child sexual abuse and grooming behaviors (*Erin's Law*) training as follows (see policies 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, and 5:90, *Abused and Neglected Child Reporting*):

1. 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.
2. By January 31, 2023, and every year after, all school personnel must complete evidence-informed training on preventing, reporting, and responding to child sexual abuse, grooming behaviors, and boundary violations.

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.

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.

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.
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 9 through 12 to identify the warning signs of mental illness and suicidal behavior in youth along with appropriate intervention and referral techniques.
5. 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.
6. 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.
7. 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.

8. 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 8-19-2014 must be certified before their position's start date.
9. 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.
10. 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.
11. Training for school personnel to develop cultural competency, including understanding and reducing implicit racial bias.
12. For school personnel who work with hazardous or toxic materials on a regular basis, training on the safe handling and use of such materials.
13. For nurses, administrators, school 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.
14. For all District staff, annual sexual harassment prevention training.
15. Title IX requirements for training as follows (see policy 2:265, *Title IX Sexual Harassment Grievance Procedure*):
 - 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.
 - 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.

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*.

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.

LEGAL REF.:

20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.

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, 5/10-23.13, 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), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional 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)

Adopted: January 20, 2022

Leyden CHSD 212

5:120 Employee Ethics; Code of Professional Conduct; and Conflict of Interest

All District employees are expected to maintain high standards in their job performance, demonstrate integrity and honesty, be considerate and cooperative, and maintain professional and appropriate relationships with students, parents/guardians, staff members, and others.

The Superintendent or designee shall provide this policy to all District employees and students and/or parents/guardians in their respective handbooks, and ensure its posting on the District's website, if any.

Professional and Appropriate Conduct

Professional and appropriate employee conduct are important Board goals that impact the quality of a safe learning environment and the school community, increasing students' ability to learn and the District's ability to educate. To protect students from sexual misconduct by employees, and employees from the appearance of impropriety, State law also recognizes the importance for District employees to constantly maintain professional and appropriate relationships with students by following established expectations and guidelines for employee-student boundaries. Many breaches of employee-student boundaries do not rise to the level of criminal behavior but do pose a potential risk to student safety and impact the quality of a safe learning environment. Repeated violations of employee-student boundaries may indicate the grooming of a student for sexual abuse. As bystanders, employees may know of concerning behaviors that no one else is aware of, so their training on: (1) preventing, recognizing, reporting, and responding to child sexual abuse and grooming behavior; (2) this policy; and (3) federal and state reporting requirements is essential to maintaining the Board's goal of professional and appropriate conduct.

The Superintendent or designee shall identify employee conduct standards that define appropriate employee-student boundaries, provide training about them, and monitor the District's employees for violations of employee-student boundaries. The employee conduct standards will require that, at a minimum:

1. Employees who are governed by the *Code of Ethics for Illinois Educators*, adopted by the Ill. State Board of Education (ISBE), will comply with its incorporation by reference into this policy.
2. Employees are trained on educator ethics, child abuse, grooming behaviors, and employee-student boundary violations as required by law and policies 2:265, *Title IX Sexual Harassment Grievance Procedure*; 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:90, *Abused and Neglected Child Reporting*; and 5:100, *Staff Development Program*.
3. Employees maintain professional relationships with students, including maintaining employee-student boundaries based upon students' ages, grade levels, and developmental levels and following District-established guidelines for specific situations, including but not limited to:
 - a. Transporting a student;
 - b. Taking or possessing a photo or video of a student; and
 - c. Meeting with a student or contacting a student outside the employee's professional role.
4. Employees report prohibited behaviors and/or boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.
5. Discipline up to and including dismissal will occur for any employee who violates an employee conduct standard or engages in any of the following:
 - a. Violates expectations and guidelines for employee-student boundaries.
 - b. Sexually harasses a student.

- c. Willfully or negligently fails to follow reporting requirements of the Abused and Neglected Child Reporting Act (325 ILCS 5/), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 *et seq.*), or the Elementary and Secondary Education Act (20 U.S.C. § 7926).
- d. Engages in *grooming* as defined in 720 ILCS 5/11-25.
- e. Engages in grooming behaviors. Prohibited grooming behaviors include, at a minimum, *sexual misconduct*. *Sexual misconduct* is any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee with direct contact with a student, that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include, but are not limited to:
 - i. A sexual or romantic invitation.
 - ii. Dating or soliciting a date.
 - iii. Engaging in sexualized or romantic dialog.
 - iv. Making sexually suggestive comments that are directed toward or with a student.
 - v. Self-disclosure or physical exposure of a sexual, romantic, or erotic nature.
 - vi. A sexual, indecent, romantic, or erotic contact with the student.

Statement of Economic Interests

The following employees must file a *Statement of Economic Interests* as required by the Ill. Governmental Ethics Act:

1. Superintendent;
2. Building Principal;
3. Head of any department;
4. Any employee who, as the District's agent, is responsible for negotiating one or more contracts, including collective bargaining agreement(s), in the amount of \$1,000 or greater;
5. Hearing officer;
6. Any employee having supervisory authority for 20 or more employees; and
7. Any employee in a position that requires an administrative or a chief school business official endorsement.

Ethics and Gift Ban

Board policy 2:105, *Ethics and Gift Ban*, applies to all District employees. Students shall not be used in any manner for promoting a political candidate or issue.

Prohibited Interests; Conflict of Interest; and Limitation of Authority

In accordance with 105 ILCS 5/22-5, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of instructional materials listed with ISBE and adopted for use by the Board. An employee having an interest in instructional materials must file an annual statement with the Board Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the District. This includes participation in the selection, award, or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) when the employee has a real or apparent conflict of interest. A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in or a tangible benefit from the entity selected for the contract:

1. A member of the employee's immediate family;
2. An employee's partner; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one or two above.

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or subcontracts. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*.

Guidance Counselor Gift Ban

Guidance counselors are prohibited from intentionally soliciting or accepting any gift from a *prohibited source* or any gift that would be in violation of any federal or State statute or rule. For guidance counselors, a *prohibited source* is any person who is (1) employed by an institution of higher education, or (2) an agent or spouse of or an immediate family member living with a person employed by an institution of higher education. This prohibition does not apply to:

1. Opportunities, benefits, and services available on the same conditions as for the general public.
2. Anything for which the guidance counselor pays market value.
3. A gift from a relative.
4. Anything provided by an individual on the basis of a personal friendship, unless the guidance counselor believes that it was provided due to the official position or employment of the guidance counselor and not due to the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the guidance counselor must consider the circumstances in which the gift was offered, including any of the following:
 - a. The history of the relationship between the individual giving the gift and the guidance counselor, including any previous exchange of gifts between those individuals.
 - b. Whether, to the actual knowledge of the guidance counselor, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.
 - c. Whether, to the actual knowledge of the guidance counselor, the individual who gave the gift also, at the same time, gave the same or a similar gift to other school district employees.
5. Bequests, inheritances, or other transfers at death.
6. Any item(s) during any calendar year having a cumulative total value of less than \$100.
7. Promotional materials, including, but not limited to, pens, pencils, banners, posters, and pennants.

A guidance counselor does not violate this prohibition if he or she promptly returns the gift to the prohibited source or donates the gift or an amount equal to its value to a 501(c)(3) tax-exempt charity.

Outside Employment

Employees shall not engage in any other employment or in any private business during regular working hours or at such other times as are necessary to fulfill appropriate assigned duties.

Incorporated

by reference: 5:120-E (Code of Ethics for Ill. Educators)

LEGAL REF.:

U.S. Constitution, First Amendment.

2 C.F.R. §200.318(c)(1).

5 ILCS 420/4A-101, Ill. Governmental Ethics Act.

5 ILCS 430/, State Officials and Employee Ethics Act.

30 ILCS 708/, Grant Accountability and Transparency Act.

50 ILCS 135/, Local Governmental Employees Political Rights Act.

105 ILCS 5/10-22.39, 5/10-23.13, 5/22-5, 5/22-85.5, and 5/22-93.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

720 ILCS 5/11-25, Criminal Code of 2012.

775 ILCS 5/5A-102, Ill. Human Rights Act.

23 Ill.Admin.Code Part 22, Code of Ethics for Ill. Educators.

Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).

Garcetti v. Ceballos, 547 U.S. 410 (2006).

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Terminations and Suspensions), 7:20 (Harassment of Students Prohibited)

Adopted: January 19, 2023

Leyden CHSD 212

5:130 Responsibilities Concerning Internal Information

District employees are responsible for maintaining: (1) the integrity and security of all internal information, and (2) the privacy of confidential records, including but not limited to: student school records, personnel records, and the minutes of, and material disclosed in, a closed Board of Education meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by the District or used by the District or its employees. The Superintendent or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

LEGAL REF.:

Family Educational and Privacy Rights Act, 20 U.S.C. §1232g.

Uses and Disclosures of Protected Health Information; General Rules, 45 C.F.R. §164.502.

Ill. Freedom of Information Act, 5 ILCS 140/.

Local Records Act, 50 ILCS 205/.

105 ILCS 10/.

Personnel Record Review Act, 820 ILCS 40/.

CROSS REF.: 2:140 (Communications To and From the Board), 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records)

Adopted: August 13, 2020

Leyden CHSD 212

5:140 Solicitations By or From Staff

District employees shall not solicit donations or sales, nor shall they be solicited for donations or sales, on school grounds without prior approval from the Building Principal.

CROSS REF.: 8:90 (Parent Organizations and Booster Clubs)

Adopted: July 21, 2022

Leyden CHSD 212

5:150 Personnel Records

Maintenance and Access to Records

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

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

Access to personnel records is available as follows:

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

Prospective Employer Inquiries Concerning a Current or Former Employee's Job Performance

The Superintendent or designee shall manage a process for responding to inquiries by a prospective employer concerning a current or former employee's job performance. The Superintendent shall:

1. Execute the requirements in the Abused and Neglected Child Reporting Act whenever another school district asks for a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to Ill. Dept. of Children and Family Services (DCFS); and
2. Comply with the federal law prohibiting the District from providing a recommendation of employment for an employee, contractor, or agent that District knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law, but the Superintendent or designee may follow routine procedures regarding the transmission of administrative or personnel files for that employee.
3. Manage the District's responses to employer requests for sexual misconduct related employment history review (EHR) information in accordance with *Faith's Law*

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

LEGAL REF.:

20 U.S.C. §7926.

105 ILCS 5/22-94.

325 ILCS 5/4, Abused and Neglected Child Reporting Act.

745 ILCS 46/10, Employment Record Disclosure Act.

820 ILCS 40/, Personnel Record Review Act.

23 Ill.Admin.Code §1.660.

CROSS REF.: 2:250 (Access to District Public Records), 5:90 (Abused and Neglected Child Reporting), 5:130 (Responsibilities Concerning Internal Information), 7:340 (Student Records)

Adopted: May 18, 2023

Leyden CHSD 212

5:170 Copyright

Works Made for Hire

The administrator responsible for curriculum and instruction and/or Director of Technology shall manage the development of instructional materials and computer programs by employees during the scope of their employment in accordance with State and federal laws and Board of Education policies. Whenever an employee is assigned to develop instructional materials and/or computer programs, or otherwise performs such work within the scope of his or her employment, it is assured the District shall be the owner of the copyright.

Copyright Compliance

While staff members may use appropriate supplementary materials, it is each staff member's responsibility to abide by the District's copyright compliance procedures and to obey the copyright laws. The District is not responsible for any violations of the copyright laws by its staff or students. A staff member should contact the administrator responsible for curriculum and instruction and/or Director of Technology or designee whenever the staff member is uncertain about whether using or copying material complies with the District's procedures or is permissible under the law, or wants assistance on when and how to obtain proper authorization. No staff member shall, without first obtaining the permission of the administrator responsible for curriculum and instruction and/or Director of Technology or designee, install or download any program on a District-owned computer. At no time shall it be necessary for a District staff member to violate copyright laws in order to properly perform his or her duties.

Copyright Infringement; Designation of District Digital Millennium Copyright Act (DMCA) Agent

The employee listed below receives complaints about copyright infringement within the use of the District's online services. The Superintendent or designee will register this information with the federal Copyright Office as required by federal law.

District DMCA Agent:

Brian Mahoney

3400 Rose St., Franklin Park, IL 60131

bmahoney@leyden212.org

847-451-3095

LEGAL REF.:

17 U.S.C. §101 et seq., Federal Copyright Law of 1976.

105 ILCS 5/10-23.10.

CROSS REF.: 6:235 (Use of Technology)

Adopted: January 19, 2023

5:180 Temporary Illness or Temporary Incapacity

A temporary illness or temporary incapacity is an illness or other capacity that renders an employee physically or mentally unable to perform assigned duties and that is not permanent as provided below. During such a period, the employee will use accumulated sick leave benefits. However, income received from other sources (worker's compensation, District-paid insurance programs, etc.) will reduce the wages or salary paid to the employee. Those insurance plans privately purchased by the employee and to which the District does not contribute, are not applicable to this policy. The School Board's intent is that in no case will the employee, who is temporarily disabled, receive more than 100 percent of their gross salary.

If illness, incapacity, or any other condition causes an employee to be absent in one school year, after exhaustion of all available leave, for more than 90 consecutive work days, such absence may be considered a permanent disability and the Board may begin dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act. The Superintendent may recommend this paragraph's use when circumstances strongly suggest that the employee returned to work intermittently in order to avoid this paragraph's application. This paragraph shall not be considered a limitation on the Board's authority to take any action concerning an employee that is authorized by State and federal law.

The Board may also dismiss or initiate dismissal proceedings if an employee is found to be permanently physically or mentally incapacitated from performing his/her essential job functions by a duly licensed physician or mental health professional selected or relied upon by the District.

Any employee may be required to have an examination(s), at the District's expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant if the examination is job-related and consistent with business necessity.

LEGAL REF.:

42 U.S.C. §12101 et seq., Americans with Disabilities Act.

105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.

Elder v. School Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

School District No. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987).

CROSS REF.:5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

Adopted: September 12, 2019

5:185 Family and Medical Leave

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

The District is committed to compliance with the Family and Medical Leave Act of 1993 (the "FMLA"). The FMLA allows eligible employees to take up to 12 weeks of job-protected, unpaid leave per year for certain specified reasons, and up to a total of 26 workweeks of leave to care for a family member who is a "covered service member" recovering from injury or illness incurred during active duty military service.

During a single 12-month period, an eligible employee's FMLA leave entitlement may be extended to a total of 26 weeks of unpaid leave to care for a covered servicemember (defined herein) with a serious injury or illness. The "single 12-month period" is measured forward from the date the employee's first FMLA leave to care for the covered servicemember begins.

A description of your rights and responsibilities under the FMLA is included as an exhibit (5:185E) to this policy.

The following is a description of the District's specific policies and procedures relating to FMLA leave.

1. Eligibility

FMLA leave is available only to certain eligible employees. To be an "eligible employee" under the FMLA, you must:

1. have been employed by the District for a total of at least 12 months; and
2. have worked at least 1,000 hours for the District during the twelve months before the date on which your leave is to begin;

2. Reasons for FMLA Leave

If you are an eligible employee, you may take leave under the FMLA for the following reasons:

- For a serious health condition that makes you unable to perform the essential functions of your job;
- For the birth of your child, and to care for your newborn child;
- For the placement with you of a child for adoption or foster care;
- To care for your spouse, child (who is under 18 years of age or incapable of self-care due to a physical or mental disability), or parent (not a parent-in-law), who has a serious health condition;
- To address "qualifying exigencies" that arise because your spouse, son, daughter, or parent is on active duty or call to active duty status with the National Guard or Reserves in support of a contingency operation.
- To care for a spouse, son, daughter, parent, or next of kin who is a "covered service member," while the covered service member is undergoing medical treatment, recuperation, or therapy; is in outpatient status; or is on the temporary disability retired list.

3. Definitions

Eligibility for FMLA leave will be determined in accordance with the definitions set forth in the FMLA and the applicable FMLA regulations in effect at the time your eligibility for leave is being determined. The following definitions are summaries provided for your convenience, and are not intended to modify the definitions set forth in the FMLA or the applicable regulations, to modify any rights that may exist

under the FMLA, or to create any right to leave not otherwise required by the FMLA.

A. Serious Health Condition

For purposes of the FMLA, "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

1. In-patient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical care facility, or any period of incapacity or subsequent treatment connected with such in-patient care; or
2. Any period of incapacity (*i.e.*, inability to work, attend school, or perform other regular daily activities due to the condition, treatment for the condition, or recovery from treatment), which is:
 - A. More than three consecutive calendar days and involves:
 - a. One in-person treatment by a health care provider, a nurse under direct supervision of a health care provider, or by a provider of health care services (*e.g.*, a physical therapist) under orders of, or on referral by a health care provider, followed by a second in-person treatment visit that occurs (absent extenuating circumstances) within 30 days of the first day of incapacity; or
 - b. One in-person treatment by a health care provider, a nurse under direct supervision of a health care provider, or by a provider of health care services (*e.g.*, a physical therapist) under orders of, or on referral by a health care provider, that results in a continuing regimen of continuing treatment under the supervision of a health care provider; or
 - B. Due to pregnancy or prenatal care; or
 - C. Due to a chronic condition that requires period visits (at least twice per year) for treatment by a health care provider, or by a nurse under direct supervision of a health care provider, that continues over an extended period of time, and that may cause episodic rather than a continuing period of incapacity (for example, asthma, diabetes, epilepsy, etc.); or
 - D. Permanent or long-term conditions for which treatment may not be effective, but for which you or your family member are under the continuing supervision of (but need not be receiving active treatment by) a health care provider; or
3. Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services. Ordinarily, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraines, routine dental or orthodontic problems, periodontal disease, *etc.*, are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

With regard to substance abuse (including alcohol abuse), FMLA leave may be taken only for treatment of substance abuse by or on referral from a health care provider. Absences caused by the employee's use of the substance, rather than for treatment, do not qualify for FMLA leave.

B. Health Care Provider

For purposes of the FMLA, "health care provider" means:

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices;
- Podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist), authorized to practice in the state and performing within the scope of their practice as defined under state law;

- Nurse practitioners, nurse midwives, clinical social workers and physician assistants who are authorized to practice under state law and who are performing within the scope of their practice under state law;
- Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts;
- Any health care provider from whom the District or the District's group health plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and
- A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.

For purposes of the FMLA, "authorized to practice in the state" means that the health care provider is authorized by state law to diagnose and treat physical or mental health conditions.

C. Qualifying Exigency

For purposes of FMLA leave to address a "qualifying exigency" that arises because an employee's spouse, son, daughter, or parent is on active duty or call to active duty status with the National Guard or Reserves in support of a contingency operation, the term "qualifying exigency" means the following:

- Issues that arise from the fact that a covered military member is notified of an impending call or order to active duty in support of a contingency operation seven or fewer days before the date of deployment. Employees are eligible for leave for this purpose for a period of seven calendar days beginning on the day the covered military member is notified of an impending call or order to active duty in support of a contingency operation.
- Attending military events and related activities, such as ceremonies, programs and briefings sponsored by the military, military service organizations, or the American Red Cross, that are related to the active duty or call to active duty status of a covered military member.
- Attending to childcare and school-related activities arising from a covered military member's active duty or call to active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling in or transferring a child to a new school or day care facility, attending meetings with staff at a school or day care facility.
- Making financial and legal arrangements to address the covered military member's absence while on active duty or call to active duty status.
- Acting as the covered military member's representative before a government agency for purposes of obtaining, arranging, or appealing military service benefits while a covered military member is on active duty or call to active duty status and for a period of 90 days following the termination of the active duty status.
- Attending counseling provided by someone other than a health care provider for oneself, for the covered military member, or his or her child;
- To spend time with a covered military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to five days of leave for each instance of rest and recuperation.
- To attend to post-deployment activities, including official ceremonies and programs sponsored by the military for a period of 90 days following the termination of a covered military member's active duty status, and to address issues arising from the death of a covered military member while on active duty status, such as recovering the body and making funeral arrangements.

- Additional activities as agreed upon by the District and the employee.

D. Covered Service member

For purposes of FMLA leave to care for a covered service member, a "covered service member" is a current member of the Armed Forces, including the national Guard or Reserves, or who is a member of the Armed Forces, the National Guard or Reserves on the temporary disability retired list, who has a serious injury or illness incurred in the line of duty on active duty for which he or she is undergoing medical treatment, recuperation, or therapy, or otherwise in outpatient status, or otherwise on the temporary disability retired list.

OR

A veteran of the Armed Forces (including the National Guard or Reserves) discharged within the five-year period before the family member first takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness. A veteran who was dishonorably discharged does not meet the FMLA definition of a covered service member. (See Certification for a Covered Service Member).

To be entitled to leave to care for a covered service member, an employee must be the covered service member's spouse, son or daughter, parent, or next of kin. "Next of kin" means the nearest blood relative, other than spouse, parent, son or daughter, in the following order of priority: blood relatives granted legal custody over the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins. If the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA, that relative (and only that relative) will be the covered service member's next of kin. When no such designation is made and there are multiple family members with the same level of relationship to the covered service member, all such family members are considered the covered service member's next of kin.

4. Amount of Leave

Generally, eligible employees are entitled to take up to 12 weeks of leave in a single 12-month period for the reasons specified above.

For the purposes of this policy, the District will use a "rolling" 12-month period measured forward from the date an employee uses any FMLA leave. .

Any leave taken for the birth or care of a child or the placement of a child for adoption or foster care must be completed within one year after the date of birth or placement.

If both you and your spouse are employed by the District and eligible for FMLA leave, you will be permitted to take only a combined total of 12 weeks of leave during a 12-month period if leave is for the birth and care of a child, the placement of a child for adoption or foster care, or to care for a parent (not a parent-in-law) with a serious health condition.

Eligible employees are also entitled to up to 26 workweeks of leave in a single 12-month period to care for a spouse, son, daughter, parent, or next of kin who is a "covered service member." The 12-month period for leave to care for a covered service member begins on the first day that an employee takes leave to care for a covered service member. During this period, the employee is entitled to a combined total of 26 workweeks of leave for any FMLA-qualifying reason, no more than 12 weeks of which may be for reasons other than to care for a covered service member. This leave is applied on a per-covered-service member, per-injury basis, meaning that an employee is entitled to only one 26-workweek allotment of leave per covered service member (unless the covered service member is later re-injured in the line of active duty). If both you and your spouse are employed by the District and are

eligible for FMLA leave, you will be permitted to take only a combined total of 26 workweeks of leave during the single 12-month period for this reason.

5. Intermittent and Reduced-Schedule Leave

When taking FMLA leave for your own serious health condition, to care for a family member with a serious health condition, or to care for a covered service member, you may take FMLA leave on an intermittent or reduced-schedule basis, if the required health care provider's certification indicates that this is medically necessary. FMLA military family leave may also be taken on an intermittent or reduced schedule basis when necessary due to a qualifying exigency.

If you require intermittent or reduced schedule leave, you will be expected to consult with the District to work out a schedule for such leave that meets your needs without unduly disrupting the District's operations, subject to approval by the health care provider.

Likewise, if you need FMLA leave due to planned medical treatment for your own or a family member's serious health condition, you will be expected to consult with the District to work out a treatment schedule that best suits your needs and the needs of the District, subject to approval by the health care provider. In some circumstances, the District may alter your existing job (while maintaining existing pay and benefits), or may temporarily transfer you to a different position with equivalent pay and benefits, to better accommodate your intermittent or reduced schedule leave.

The District may consider requests for intermittent or reduced schedule leave due to the birth, adoption or foster placement of a child, but is not obligated to grant such requests, and will do so only at its sole discretion.

6. Special Rules for Instructional Employees

For purposes of FMLA, instructional employees are those employees whose principal function is to teach and instruct students in a class, small group, or an individual setting, including teachers and athletic coaches. It does not include teacher aides who do not actually teach or instruct social workers, curriculum specialists, or other auxiliary personnel.

A. Intermittent Leave

If an instructional employee requests intermittent or reduced schedule leave to care for a family member, a covered service member, or for the instructional employee's own serious health condition, and the instructional employee would be on leave for more than twenty percent of the instructional employee's total number of working days over the period the leave would extend, the district may require the instructional employee to choose either to:

- Take leave for a period of particular duration, not greater than the duration of the planned treatment, or
- Temporarily transfer to an available alternative position with equivalent pay and benefits which better accommodates the recurring periods of leave.

Leave taken by an instructional employee for a period that ends with the school year and begins with the next school year is taken consecutively rather than intermittently. Any period during summer vacation when the employee would not have been required to report for duty will not be counted against the employee's FMLA leave entitlement.

B. Limitations on Leave near the End of an Academic Term

If an instructional employee begins FMLA leave more than five weeks before the end of a semester, the District may require the employee to continue taking leave until the end of the semester if the leave will last at least three weeks, and the employee would return to work during

the three-week period before the end of the semester.

If an instructional employee begins FMLA leave during the five-week period before the end of a semester because of the birth of a son or daughter, the placement of a son or daughter for adoption or foster care, to care for a family member with a serious health condition, or to care for a covered service member, the District may require the employee to continue taking leave until the end of the semester if the leave will last more than two weeks, and the employee would return to work during the two-week period before the end of the semester.

If an instructional employee begins leave during the three-week period before the end of a semester because of the birth of a son or daughter, the placement of a son or daughter for adoption or foster care, to care for a family member with a serious health condition, or to care for a covered service member, the District may require the employee to continue taking leave until the end of the semester if the leave will last more than five working days.

If an employee who is ready and able to return to work is required to remain on leave until the end of the semester under this section, only the period of leave until the employee is ready and able to return to work will be charged against the employee's 12-week FMLA leave entitlement, but the employee will have the same rights with respect to benefits and job restoration as if the period were FMLA leave.

7. How to Request FMLA Leave

If you need to take time off for reasons that you believe qualify for FMLA leave, you must notify Human Resources and fill out a Leave Request Form. It is your responsibility to provide Human Resources with sufficient information to determine if your request for time off is for an FMLA-qualifying reason, and to advise the District of the expected timing and duration of your leave. Once you have notified Human Resources that you need time off for an FMLA-qualifying reason, the District may contact you to request additional information or documentation regarding your absence. Failure to comply with this policy or to provide documentation or information requested by the District may result in delay or denial of requested time off.

A. Foreseeable Leave

If you know of your need for time off 30 or more days in advance, you must notify Human Resources and submit the Leave Request form no later than 30 days before your time off begins, absent extenuating circumstances. If you provide less than 30 days' notice of your time off, you may be required to explain why it was not practicable for you to provide 30 days' notice.

If you know of your need for time off in advance but cannot provide 30 days' notice, you must notify Human Resources of your time off and submit the Request for Leave form as soon as practicable under the circumstances. In most cases, this will mean the same day you learn of your need for time off, or the next business day.

When scheduling time off, you will be expected to consult with the District to work out a schedule for leave that, to the extent possible, meets your needs without unduly disrupting the District's operations.

B. Unforeseeable Leave

If you are unable to notify Human Resources of your need for time off and submit a Leave Request Form before the day on which your time off begins, you must comply with the District's usual and customary policies and practices for reporting absences. You must follow these procedures *each day you are absent*, unless your absence for that day has been scheduled and approved in advance. In addition to reporting your absence, as soon as practicable, you must contact Human Resources to inform the District of the reason for your absence and when you

expect to return to work. Again, it is your responsibility to provide the District sufficient information to determine whether your leave qualifies as FMLA leave. As soon as practicable, you must also submit a completed Leave Request Form.

If you are unable to notify the District of your need for leave (for example, because you are physically incapacitated), a spokesperson (such as your spouse, an adult family member, or another responsible party) may contact Human Resources on your behalf.

8. Eligibility Notice

After you give notice of your need for FMLA leave, the District will provide you with a written notice advising you whether or not you are an "Eligible Employee" under the FMLA. The District will provide this eligibility notice within five business days after you give notice of your need for leave, absent extenuating circumstances. If you later make another request for FMLA leave within the same 12-month period, the District may elect not to provide another eligibility notice, unless your status as an eligible employee has changed. Note that even if you are an "eligible employee" under the FMLA, your request for leave may be denied if the District determines that your leave is not for an FMLA-qualifying reason, or if you have exhausted all available leave under the FMLA.

At the same time as it provides the eligibility notice, the District will provide you with a written notice advising you of any applicable rights and responsibilities relating to your requested FMLA leave.

9. Required Certification

It is your responsibility to provide the District with any information needed to determine whether your leave qualifies as FMLA leave. The FMLA requires you to respond to reasonable requests for information regarding your leave, and your failure to do so may result in delay or denial of your requested leave. In addition, you may be required to provide the certifications described below. It is your obligation to provide a complete and sufficient certification form to the District within 15 calendar days after the District requests it. If it is not practicable for you to provide a completed, sufficient certification form within 15 days despite your diligent, good faith efforts to do so, you must contact Human Resources to explain the situation.

If you return a certification form but it is incomplete (i.e., one or more items are left blank) or insufficient (i.e., responses are vague, illegible, ambiguous, or non-responsive), the District will notify you of the deficiency. You will then have 7 calendar days to provide a complete, sufficient certification. If it is not practicable for you to provide a completed, sufficient certification form within 7 days despite your diligent, good-faith efforts to do so, you must contact the District to explain the situation.

A. Certification for Serious Health Condition

If you are requesting FMLA leave due to your own serious health condition, or to care for a family member with a serious health condition, you will be required to provide a health care provider's certification on a form that will be provided by the District.

Authentication and Clarification

The District may contact the health care provider to authenticate a completed certification form by providing the health care provider a copy of the form and requesting verification that the information contained on the form was written or authorized by the health care provider who signed the document.

Additionally, the District may request clarification of information on the certification form, and may ask you to sign, or have your family member sign, a release form authorizing the health care provider to communicate with the District for the purpose of clarifying the certification. If the certification is unclear and you fail to provide a signed authorization or otherwise clarify the

certification, the District may deny your request for FMLA leave.

Second and Third Opinions

The District may require you to obtain a second certification at the District's expense from a health care provider designated by the District. If the second health care provider's certification differs from your health care provider's certification, the District may require you to obtain certification from a third health care provider, again at the District's expense. The third health care provider will be designated or approved jointly by you and the District. You and the District are required to act in good faith to attempt to reach agreement on a third health care provider. The third opinion will be final and binding.

Recertification

If you take leave due to your own or a family member's serious health condition, you may be required to submit a complete and sufficient recertification from your health care provider as often as every 30 days in conjunction with an absence. If your health care provider's initial certification specifies that the minimum duration of the condition for which you are taking leave is longer than 30 days, you may be required to submit a recertification in conjunction with an absence when the minimum duration expires, or every six months, whichever is less. You also may be required to provide a recertification if you request an extension of leave, the circumstances described in the original certification have changed significantly, or the District receives information raising doubt as to your eligibility for FMLA leave. The District will provide you with the required recertification form when a recertification is required.

B. Certification of a Qualifying Exigency

If you request FMLA leave due to a qualifying exigency arising out of the active duty or call to active duty status of a covered military member, you will be required to submit a complete and sufficient certification form provided to you by the District, and to provide the documentation requested therein. If the qualifying exigency for which you are taking leave involves a meeting or appointment with a third party, the District may contact the third party for purposes of verifying the meeting or appointment and the nature of the meeting or appointment. The District also may contact an appropriate unit of the Department of Defense to request verification that the covered military member is on active duty or call to active duty status.

C. Certification for a Covered Service member

If you request leave to care for a covered service member with a serious injury or illness, (see below) you will be required to obtain a certification from the service member's authorized health care provider on a form provided to you by the District. Any one of the following may complete this certification: A U.S. Department of Defense ("DOD") health care provider; a U.S. Department of Veteran's Affairs health care provider; a DOD TRICARE network authorized private health care provider; or a DOD non-network TRICARE authorized private health care provider.

"Serious injury or illness" means:

- a. In the case of a current member of the Armed Forces, an injury or illness incurred in the line of duty on active duty in the Armed Forces, or one that existed before the beginning of the covered service member's active military service, but that was aggravated by service in the line of active duty in the Armed Forces, that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; or
- b. In the case of a veteran, an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated service in the line of duty on active duty, and that is either;

- c. a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered, the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
- d. a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; or
- e. a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or
- f. an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The District may contact the health care provider to authenticate a completed certification form by providing the health care provider a copy of the form and requesting verification that the information contained on the form was written or authorized by the health care provider who signed the document.

Additionally, the District may request clarification of information on the certification form, and may ask that the covered service member sign a release authorizing the health care provider to communicate with the District for the purpose of clarifying the certification. If the certification is unclear and you fail to provide a signed authorization or otherwise clarify the certification, the District may deny your request for FMLA leave.

10. Designation of FMLA Leave

The District will provide you with a written notice advising whether your leave will be designated as FMLA leave. Absent extenuating circumstances, the District will provide this notice within five business days after it receives sufficient information to determine whether your requested leave is for an FMLA-qualifying reason. If the District does not provide the designation notice within the time specified above, the District may notify you that your time off will be designated as FMLA leave at a later time if the delay in providing this notice does not cause you harm or injury, or if you and the District agree that the time off will be designated as FMLA leave. The District may designate any leave taken by an eligible employee for an FMLA-qualifying reason as FMLA leave, and will count all leave so designated against an employee's FMLA leave entitlement.

11. Pay and Benefits during FMLA Leave

A. Unpaid Leave and Substitution of Paid Leave

FMLA leave is generally unpaid. However, if you have any accrued, unused vacation, you must use your vacation concurrently with your FMLA leave. If you are taking FMLA leave for a reason for which you are permitted to use sick leave, you must also use your sick leave concurrently with your FMLA leave. All available vacation and (if applicable to the reason for your leave) sick leave must be exhausted before you will be permitted to take any unpaid FMLA leave.

If you are taking FMLA leave due to your own serious health condition that renders you unable to work, any disability benefits for which you are otherwise eligible under a disability benefit plan or workers' compensation law may be used in conjunction with paid vacation or sick time, provided that total payments do not exceed 100% of your normal base pay, and provided that you comply with all applicable terms and conditions of the disability benefit plan or workers' compensation law. All paid leave and disability benefits will run concurrently with your FMLA leave.

B. Group Benefits

If you are enrolled in the District's group health and other group benefit plans and wish to

continue this coverage while you are on FMLA leave, you will be responsible for paying the employee share of the premiums during any period of FMLA leave. The District will provide you with instructions for paying health insurance premiums during your leave. The District will continue to pay its share of the premiums for your group health insurance coverage while you are on FMLA leave, unless you notify the District of your intent not to return to work following leave. If you do not pay your share of health insurance premiums while you are on FMLA leave, you may be dropped from plan coverage until you return to work, or the District may elect to pay your share of the premiums on your behalf and recover such premiums from you upon the conclusion of your leave.

If you do not return to work upon completion of your FMLA leave, you may be required to repay the District for any premiums paid by the District to maintain your group health insurance coverage during your leave, unless the failure to return to work was due to the recurrence or onset of a serious health condition or injury or illness of a covered service member, which would otherwise entitle you FMLA leave, or due to other circumstances beyond your control. You may be required to provide certification establishing that your failure to return to work was due to one of these reasons.

C. Other Benefits

Consistent with District policy for all types of leave, you will not accrue seniority or any benefits that accrue according to length of service (e.g., paid vacation). You will not lose any previously-accrued benefits because of leave taken under this policy.

12. Reporting Requirements during Leave

While on FMLA leave, you may be required to contact Human Resources periodically to report on your status and confirm your intention to return to work on the scheduled date.

If you require an extension of FMLA leave, it is your responsibility to notify the District at least two business days before the expiration of your initial leave. Conversely, if you are able to return to work before the expiration of your initial leave, you must notify the District at least two business days before you return to work.

13. Reinstatement Following FMLA Leave

If you timely return from FMLA leave and used the leave for the stated purpose, you generally will be reinstated to the same position you held when you began your leave, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment. However, you may not be reinstated if your employment would have terminated for reasons unrelated to your FMLA leave, or if you are unable to perform any essential functions of your job (with or without any accommodations required by law).

Additionally, the FMLA provides a limited exception to the District's reinstatement obligation for "key" employees. A "key" employee is a salaried, FMLA-eligible employee who is among the highest-paid 10% of employees located within 75 miles of the work site in question. Under limited circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, the District may deny reinstatement to a key employee after FMLA leave. The District will notify you if you are a "key" employee at the time leave is requested, will notify you if it decides to deny restoration, and will provide you a reasonable opportunity to return to work after providing such notice.

Before returning to work from FMLA leave for your own serious health condition, you may be required to submit a certification from your health care provider that you are able to resume work. If required, this certification must specifically confirm that you are able to perform the essential functions of your position, as set forth in the job description provided to you by the District.

14. Prohibitions

Consistent with the District's policy regarding all types of leave, the following conduct is strictly prohibited in relation to FMLA leave:

- Engaging in fraud, misrepresentation or providing false information to the District or any health care provider.
- Having other employment during the leave, without prior written approval from the District.
- Failure to comply with the employee's obligations under this policy.
- Failure to timely return from the leave.

Employees who engage in such conduct will be subject to loss of benefits, denial or termination of leave, and discipline, up to and including discharge.

15. The District's Commitment

The District will not interfere with, restrain, or deny the exercise of any right provided by the FMLA, nor will it discharge or discriminate against any individual for opposing any practice or involvement in any proceeding relating to the FMLA. The District recognizes the coexistence of state and/or local laws regarding leave. If any such laws apply and provide greater family and medical leave rights than the FMLA, the District will comply with those laws.

LEGAL REF.:

29 U.S.C. §2601 et seq., Family and Medical Leave Act; 29 C.F.R. Part 825.

105 ILCS 5/24-6.4.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence); 5:330 (Sick Days, Vacation, Holidays, and Leaves)

Adopted: January 20, 2022

Leyden CHSD 212

5:188 Unauthorized Employee Absences from Work

The absence from work of any employee of this School District without the permission or approval of the Superintendent of the District (or his delegate) shall be considered grounds for termination of employment, except that this provision shall not apply in the case of sick leave authorized by the School Code or by any regulation of this Board of Education relating to sick leave or other leaves as defined in the Board's written policies or the Board/Union contract.

ADOPTED: June 19, 2008

Leyden CHSD 212

Professional Personnel

Leyden CHSD 212

5:190 Teacher Qualifications

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

1. Each teacher must:
 - a. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
 - b. Provide the District office with a complete official transcript of credits earned in institutions of higher education.
 - c. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the District Office with an official transcript of any credits earned since the date the last transcript was filed.
 - d. Notify the Assistant Superintendent of any change in the teacher's transcript.
2. All teachers working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements.

The Assistant Superintendent or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately licensed;
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers; and
3. Ensure parents/guardians of students in schools receiving Title I funds are notified of their right to request their students' classroom teachers' professional qualifications.

LEGAL REF.:

20 U.S.C. §6312(e)(1)(A).

105 ILCS 5/10-20.15, 5/21-11.4, 5/21B-15, 5/21B-20, 5/21B-25, and 5/24-23.

23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

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

Adopted: January 19, 2023

Leyden CHSD 212

5:192 Advancement on Schedule

The Board considers professional growth to be a desirable activity. It is believed that the salary schedule offers ample incentive for continued professional growth. The Assistant Superintendent must approve all graduate credit for advancement on the salary schedule before the courses are taken.

All degrees earned by teachers and administrators, and additional credits counted towards salary advancement, must be from institutions of higher education that are accredited by the North Central Association or its equivalent, the Illinois State Board of Education, or approved Leyden University courses.

Advancement on Salary Schedule

Advancement may be made:

- A. By additional experience. At the end of each years teaching experience in the Leyden Community High School District 212, teachers continuing their employment at Leyden are advanced a year on the salary schedule.
- B. By university course work. Teachers may advance on the salary schedule by validated evidence of having completed acceptable university course work. General guidelines for such credit include the following:
 1. Before taking additional course work, the teacher must receive approval from the Assistant Superintendent. Failure to do this could place final approval in jeopardy. Forms for this purpose can be obtained in the administration office. At the time applications are made, the applicant must outline in general terms how he/she plans to proceed to the next step on the salary schedule. In some cases, interviews between the Assistant Superintendent and the applicant are necessary to establish mutual understanding and agreement.
 2. While each case requires special consideration, the following guidelines will be followed:
 - a. It is assumed that most work will be on the graduate level. Some exceptions can granted if it is felt that undergraduate work will more adequately fill the needs of the applicant's role. In fact, the administration may insist on undergraduate work if it seems more advisable in preparing the teacher for his/her duties.
 - b. Work in the teaching field is preferred. Exceptions can be granted if it felt that related areas will upgrade the teacher's effectiveness, and the teacher is already strong in his subject field. In a few cases, it is recognized that preparation in a less related area is advisable to prepare a teacher for a specific task. Careful consideration will be given for those exceptions.
 - c. Professional courses of a high level, while secondary to subject field, are considered important. Such courses on the graduate level must definitely be directed toward better understanding of how to work effectively with students.
 - d. By successful completion of designated Leyden staff development workshops. Teachers may advance on the salary schedule by successfully completing a Leyden staff development workshop approved for this purpose by the Assistant Superintendent. The Assistant Superintendent and the administrator responsible for curriculum and instruction will determine the number of semester hours of credit for each workshop using formulas currently in use at most local colleges and universities. A letter from the workshop leader(s) attesting that the teacher has met all requirements for the workshop and has attended all required sessions will serve as evidence of completion.
3. Show validation of credits: Official transcripts must be presented to the Assistant Superintendent for his approval before advancement on the salary schedule is approved. Transcripts must be received by the Assistant Superintendent no later than October 15 for first semester lane changes, and no later than March 1 for second semester lane changes. Salary increases will be

retroactive to the beginning of the semester in which the lane change occurs, and will be prorated for remaining paychecks.

ADOPTED:October 12, 2017

Leyden CHSD 212

5:200 Terms and Conditions of Employment and Dismissal

The Board of Education 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 individual employment contract or 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.

School Calendar and Day, Salary, Assignments and Transfers, Dismissal, Evaluation, Evaluation of New Teachers

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

Duty-Free Lunch

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

For those employees not covered by this Agreement:

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.

Nursing Mothers

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

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.

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/, Nursing Mothers in the Workplace Act.

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.: 5:202 (Staff Evaluation Plan), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:290 (Employment Termination and Suspensions), 6:20 (School Year Calendar and Day)

Adopted: January 20, 2022

5:202 Staff Evaluation Plan

The Board of Education believes that staff evaluation is one of the most effective means to improve instruction. Accordingly, the Superintendent shall work cooperatively with the Leyden Council of the West Suburban Teachers' Union to develop a Staff Evaluation Plan that enhances instruction and is in compliance with the School Code.

The Board of Education charges the school administration and department chairs to conduct an ongoing staff evaluation program. The focus of the evaluation program is to improve staff and the quality of instruction that Leyden students receive, thereby enhancing student achievement.

CROSS REF.:5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), (School Year Calendar and Day)

ADOPTED:July 16, 2009

Leyden CHSD 212

5:204 Dismissal for Mental or Physical Incapacity

A. Mental or Physical Incapacity

1. Temporary mental or physical incapacity is hereby defined as the inability or failure of a teacher to perform any assigned teaching duty due to mental or physical incapacity, which is determined by medical examination to be temporary. Such temporary mental or physical incapacity shall not be a cause for dismissal of any teacher.
2. Any other inability or failure to perform any assigned teaching duty due to mental or physical incapacity as found by the Board of Education after medical examination shall be a cause for dismissal.

B. Medical Examinations

1. Any teacher who fails to perform any assigned teaching duty because of mental or physical incapacity as determined by the Superintendent may be required by the Superintendent to submit to medical examination for the purpose, among others, of determining if such incapacity is temporary.
2. All medical examinations hereunder shall be performed by a physician selected by the Superintendent and duly licensed as required by the School Code. The Board of Education shall pay all direct medical costs of such examinations.
3. Nothing contained herein shall limit the authority of the Board or Superintendent to require a medical examination in other circumstances.

ADOPTED: June 19, 2008

Leyden CHSD 212

5:206 Loss of Contractual Continued Service Status Due to mental or Physical Incapacity

A. Temporary Mental or Physical Incapacity

1. The contractual continued service status of a teacher shall not be affected by failure to perform any assigned teaching duty due to temporary mental or physical incapacity as defined by this policy.
2. Temporary mental or physical incapacity is hereby defined, for the exclusive purpose of determining a teacher's contractual continued service status under this policy, to mean any failure because of mental or physical incapacity of a teacher, not on leave of absence mutually agreed to by the teacher and the Board, to perform any assigned teaching duty on fewer than ninety (90) school days during any one school term or on fewer than sixty (60) school days in each of two (2) consecutive school terms or on fewer than thirty (30) school days in each of three (3) consecutive school terms.

B. Loss of Contractual Continued Service

1. The contractual continued service status of a teacher shall cease as hereafter provided whenever said teacher, not on leave of absence mutually agreed to by the teacher and the Board, fails, because of physical or mental incapacity, to perform any assigned teaching duty on ninety (90) or more school days during any one school term or on sixty (60) or more school days in each of two (2) consecutive school terms, or on thirty (30) or more school days in each of three (3) consecutive school terms. Time during which a teacher is on leave of absence mutually agreed to by the teacher and the Board shall not be included in determining the number of days on which any assigned teaching duty is not performed.
2. Upon the cessation of contractual continued service, a teacher shall be considered a probationary teacher. The cessation of contractual continued service shall not by itself work the dismissal of the teacher.

C. Notice and Hearing

1. Whenever a teacher not on leave of absence mutually agreed to by the teacher and the Board fails, due to physical or mental incapacity, to perform any assigned teaching duty for the number of days specified in B .1 above, the Superintendent shall report such failure to the Board of Education at least by the next regular meeting of the Board subsequent to such failure; provided however, if such meeting is scheduled within ten (10) school days of the date on which any of the periods specified in B.1 above elapse then the Superintendent shall report such failure to the Board no later than the second regular meeting of the Board after the time specified in B.1 elapses. Among other information, the Superintendent's report to the Board shall state the dates on which the teacher failed to perform any assigned teaching duty and the information on which the Superintendent based his/her determination that such failure was due to mental or physical incapacity.
2. A copy of the Superintendent's report shall be forwarded to the teacher at the same time such report is forwarded to the Board, together with a notice to the teacher to appear, if the teacher so desires, before the Board to be heard on the issues specified in C.4 below.
3. The Superintendent's report and notice of hearing shall be served on the teacher in writing at least five (5) days before the meeting at which the Board of Education acts upon the Superintendent's report.
4. At any such hearing the teacher shall be given the opportunity to be represented by an attorney, or other representative, and to present evidence on the issue of whether the failure to perform any teaching duty was for the number of days specified in paragraph B.1 above because of physical or mental incapacity and on the issue of such other information, if any, as is contained in the Superintendent's report.

5. After affording the teacher an opportunity to be heard on the issues specified in C.4 above, the Board shall determine whether the contractual continued service status of the teacher shall cease pursuant to B.1 above. The effective date of such cessation, if any, shall be the date on which the Board makes its determination that the teacher's contractual continued service shall cease unless the Board sets a subsequent date. The Board shall notify the teacher of its determination within ten (10) days thereof.

D. Service and Effective Date of Requests and Notices

1. Any notice or request required to be given, served, or made under this policy to the Board or the teacher shall be made in writing by personal service or certified mail. If said request is made by certified mail it shall be addressed as follows:

To the Board of Education:

Board of Education of School District No. c/o Superintendent

(address of Superintendent's office)

To the Teacher:

(name of teacher)

(at the last known address of the teacher reflected in the personnel file)

If the request or notice required is given by certified mail, it shall be made or given effect as of the date such is deposited in the U. S. Mail, postage prepaid, with the necessary certification documents addressed in the above indicated form.

2. The time within which any act provided hereunder is to be done shall be computed by excluding the first day and including the last, unless the last day is Saturday or Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in this State, and then it shall also be excluded. If the day succeeding such Saturday, Sunday or holiday is also a holiday or a Saturday or Sunday then such succeeding day shall also be excluded.
3. The times hereunder by which notices must be given or acts occur shall not be jurisdictional and may be extended by the Board for just cause.

E. Effective Date of Policy

This policy shall apply to all teachers, from and after the date of its adoption, including those teachers absent on such date; provided, however, the number of school days specified in B.1 above shall be computed as of a time beginning with the date of adoption of this policy. A copy of this policy shall be mailed to any teacher absent for reasons of mental or physical incapacity for a period often (10) consecutive days beginning with the effective date hereof to the address contained in the teacher's personnel file.

ADOPTED: June 19, 2008

5:210 Resignations

Tenured teachers may resign at any time by obtaining the concurrence of the Board of Education or by written notice served on the Secretary of the Board of Education at least thirty (30) days before the effective date of the resignation. However, tenured teachers may not submit a resignation effective during the school term in order to accept another teaching position with the agreement of the Board of Education.

Probationary teachers may not terminate their service while under contract with the Board of Education, without the agreement of the Board of Education.

The Superintendent is authorized to receive and accept teacher resignations on behalf of the Board of Education. Resignations must be addressed to the Secretary of the Board in care of the Superintendent. A teacher's resignation which is subject to the agreement of the Board of Education shall be irrevocable on the date of its acceptance by the Superintendent, subject only to its confirmation by the Board at its next meeting. A teacher's resignation which does not require the agreement of the Board of Education is irrevocable upon the receipt by the Superintendent.

LEGAL REF.:

105 ILCS 5/24-14.

Park Forest Heights School Dist. v. State Teacher Certification Bd., 363 Ill.App.3d 433 (1st Dist. 2006).

ADOPTED: June 19, 2008

Leyden CHSD 212

5:220 Substitute Teachers

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 and may teach in the place of a licensed teacher who is under contract with the Board. 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:

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 120 days beginning with the 2021-2022 through the 2022-2023 school year, otherwise 90 paid school days in any one school term.
2. A teacher holding a Professional Educator License or Educator License with Stipulations may teach for any one licensed teacher under contract with the District only for a period not to exceed 120 paid school days.

The Ill. 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 not more than 100 paid days in the same classroom. Beginning July 1, 2023, 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.

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

Short-Term Substitute Teachers

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. Unless otherwise permitted by law, short-term substitutes may teach no more than five consecutive school days for each licensed teacher who is under contract with the Board.

Emergency Situations

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.

LEGAL REF.:

105 ILCS 5/10-20.68, 5/21B-20(2), 5/21B-20(3), and 5/21B-20(4).

40 ILCS 5/16-118, Ill. Pension Code.

23 Ill.Admin.Code §1.790 (Substitute Teacher) and §25.520 (Substitute Teaching License).

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

Adopted: January 19, 2023

5:230 Maintaining Student Discipline

Maintaining an orderly learning environment is an essential part of each teacher's instructional responsibilities. A teacher's ability to foster appropriate student behavior is an important factor in the teacher's educational effectiveness. The Building Principal shall ensure that teachers, other certificated employees, and persons providing a student's related service: (1) maintain discipline in the schools as required in the School Code, and (2) follow the Board policies and administrative procedures on student conduct, behavior, and discipline.

When a student's behavior is unacceptable, the teacher should first discuss the matter with the student, if appropriate. If the unacceptable behavior continues, the teacher should consult with the Building Principal or Dean and/or discuss the problem with the parent(s)/guardian(s). A teacher may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students. A student's removal must be in accordance with Board policy and administrative procedures.

Teachers shall not use disciplinary methods that may be damaging to students, such as ridicule, sarcasm, or excessive temper displays. Corporal punishment (including slapping, paddling, or prolonged maintenance of a student in physically painful positions, and intentional infliction of bodily harm) may not be used. Teachers may use reasonable force as needed to keep students, school personnel, and others safe, or for self-defense or defense of property.

LEGAL REF.:105 ILCS 5/24-24.

23 Ill.Admin.Code §1.280.

CROSS REF.:2:150 (Committees), 7:180 (Preventing Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

ADOPTED:May 18, 2017

5:240 Suspension - (Short-Term)

This policy is intended to clarify the Board's and the Superintendent's power to discipline teachers and protect the best interests of the District through a means other than immediate discharge. Many authorities in the field of employer-employee relations have written that employers should have the authority to administer a range of discipline short of discharge. A 1980 decision by the Illinois Supreme Court, however, suggests that if a school district wishes to have the option of suspending teachers as opposed to discharging them, a written suspension policy must be adopted by the Board of Education. In the absence of a written suspension policy, a Board of Education faced with poor work performance or misconduct by a teacher often has few options, and often only one – to discharge the teacher.

This Board of Education feels that it is in the best interests of the District, the students, and the teachers for it to have methods other than dismissal to discipline teachers for poor performance acts of misconduct. The policy below was developed after a review of numerous case decisions, statutes, civil service codes and municipal ordinances. It is designed both to alert teachers as to the types of action that can lead to discipline and to afford the teacher the opportunity to challenge suspensions.

Nothing contained in this policy limits the right of the Board to dismiss or otherwise discipline, rather than first suspend, a teacher for any act of misconduct or circumstance set forth below or to suspend a teacher pending dismissal. Further, nothing contained in this policy shall limit the authority of the Board of Education to act on its own initiative to suspend a teacher for the misconduct or circumstances set forth below, provided appropriate due process is afforded the teacher prior to suspension.

A teacher guilty of misconduct may be suspended with or without pay by the Superintendent for a period of up to ten (10) school days for each incident of misconduct.

Misconduct that can result in either dismissal, suspension, or other disciplinary action, includes, but is not limited to, the behavior described below.

- A. The following constitutes misconduct when such behavior occurs on school premises, at school-sponsored activities, wherever located, or otherwise in the performance of duties as a teacher:
 1. Use, possession, sale, delivery, or being under the influence of intoxicants, i.e., alcohol, drugs, or narcotics not medically prescribed and otherwise prohibited by law.
 2. Insubordinate acts such as failing to follow directives from supervisors or failing to comply with district, state or federal rules and regulations or statutory provision governing the conduct of schools.
 3. Neglect of duties, in whole or in part, such as the failure, to perform or tardiness in performing school duties, as well as neglecting or unnecessarily delaying in the making of statistical or other reports required by school officers.
 4. Unexcused absence from duties relating to the school program, including absence from required meetings.
 5. Misrepresentation or withholding of information from the school administration or Board relevant to the conduct of the schools or the performance or discipline of students, teachers or other employees.
 6. Action or failure to act when such results endangering the physical safety of other persons or which endangers the property of the School District or others.
 7. Verbal or physical abuse of employees, students or parents of students, or verbal or physical abuse of other persons.
 8. Failure to protect or account for school property.
 9. Disruption of the orderly conduct of the schools.
 10. Failure to supervise adequately students or activities.

11. Conduct or activities which are unbecoming a teacher.
12. Willful failure to report an instance of suspected child abuse or neglect as required by the "Abused and Neglected Child Reporting Act."
13. Any ground or cause for dismissal stated in Sec. 10-22.4 of The School Code.

B. The following constitutes misconduct without reference to where it occurs:

1. Use, possession, sale delivery or being under the influence of narcotics or drugs not medically prescribed and otherwise prohibited by law.
2. Conduct or activity which is unbecoming a teacher or has a substantial adverse effect on any school program or on any student or employee of the school or which substantially diminishes the effectiveness of the teacher in the performance of his or her duties.

C. Pre-Suspension Procedures

Prior to suspending any teacher, the Superintendent shall meet with the teacher, explain the nature of the alleged misconduct, allow the teacher to admit, deny, or explain the incident or conduct in question, and advise of the teachers' right to appear in person before the Board for review of any suspension. A written report of this meeting shall be prepared and forwarded to the Board by the Superintendent or other designee. If the teacher is suspended, the teacher, within a reasonable time of the suspension, shall be given a written notice advising of the suspension, stating the reasons, the duration thereof, whether with or without pay, and the teachers' right to appear in person before the Board for review of the suspension. Upon review, the Board may confirm, reverse or reduce the suspension by the Superintendent, or take whatever other disciplinary action it deems appropriate.

* Teacher, as used in this policy, means all certificated employees.

Employees Under Investigation by Illinois Dept. of Children and Family Services (DCFS)

Upon receipt of a DCFS recommendation that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation that relates to his or her employment with the District, the Board or Superintendent or designee, in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended by DCFS, proceeding with:
 - a. A suspension with pay; or
 - b. A suspension without pay.

Repayment of Compensation and Benefits

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

LEGAL REF.:

105 ILCS 5/24-12.

5 ILCS 430/5-60(b), State Officials and Employee Ethics Act.

325 ILCS 5/7.4(c-10), Abused and Neglected Child Reporting Act.

Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985).

Barszcz v. Cmty College Dist. No. 504, 400 F.Supp. 675 (N.D. Ill. 1975).

Massie v. East St. Louis Sch. Dist. No.189, 203 Ill.App.3d 965 (5th Dist. 1990).

CROSS REF.: 5:290 (Employment Termination and Suspensions)

Adopted: July 21, 2022

Leyden CHSD 212

5:250 Leaves of Absence

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

Accumulated Sick Leave

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

Sick leave is defined in State law as personal illness, mental or behavioral health complications, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, placement for adoption, or the acceptance of a child in need of foster care.

As a condition for paying sick leave after three days absence for personal illness 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 mental health professional licensed in Illinois providing ongoing care or treatment to the staff member, (3) a chiropractic physician licensed under the Medical Practice Act, (4) a licensed advanced practice registered nurse, (5) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (6) 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.

Staff members are entitled to use up to 30 consecutive days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a condition of paying sick leave beyond the 30 working school days, the Board or Superintendent may require medical certification.

For purposes of adoption, placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need of foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway.

Family Bereavement Leave

State law allows a maximum of 10 unpaid work days for eligible employees (Family and Medical Leave Act of 1993, 20 U.S.C. §2601 *et seq.*) to take family bereavement leave. The purpose, requirements, scheduling, and all other terms of the leave are governed by the Family Bereavement Leave Act. Eligible employees may use family bereavement leave, without any adverse employment action, for: (1) attendance by the bereaved staff member at the funeral or alternative to a funeral of a covered family member, which includes an employee's child, stepchild, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent (2) making arrangements necessitated by the death of the covered family member, (3) grieving the death of the covered family member, or (4) absence from work due to a Significant Event, which includes: (i) miscarriage, (ii) an

unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, (iii) a failed adoption match or an adoption that is not finalized because it is contested by another party, (iv) a failed surrogacy agreement, (v) a diagnosis that negatively impacts pregnancy or fertility, or (vi) a still birth. An employee qualifying for leave due to a Significant Event will not be required to identify which specific reason applies to the employee's request.

The leave must be completed within 60 days after the date on which the employee received notice of the death of the covered family member or the date on which an event under item (4) above occurs. However, in the event of the death of more than one covered family member in a 12-month period, an employee is entitled to up to a total of six weeks of bereavement leave during the 12-month period, subject to certain restrictions under State and federal law. Other existing forms of leave may be substituted for the leave provided in the Family Bereavement Leave Act. This policy does not create any right for an employee to take family bereavement leave that is inconsistent with the Family Bereavement Leave Act.

Funeral Leave

The Board of Education shall grant all regularly employed full-time and part-time employees funeral leave upon the death of a member of the immediate family or household. Absence for funerals will be at full pay and shall not exceed (3) school days per funeral. Immediate family shall be interpreted to include: mother, father, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, grandparents, wife husband, children, grandchildren, and legal guardians. Also included is any other permanent resident of the household. Funeral leaves shall not be accumulative and shall have no bearing on the accumulative days of sick leave or the policy on severance pay. Available emergency days may be used for funerals not included above.

Sabbatical Leave

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

For those employees not covered by this agreement:

Sabbatical leave may be granted in accordance with the School Code.

Emergency Leave

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

For those employees not covered by this agreement:

Professional staff members are granted three emergency leave days per year. An emergency leave day is defined as a day to allow professional personnel time to conduct personal business (but not vacation, travel, or work stoppage), which is impossible to schedule at a time other than during a school day. Any unused personal leave day in a school year will be credited to the cumulative sick leave.

Leave of Absence

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

For those employees not covered by this agreement:

The Board may grant a leave of absence without pay to tenured professional staff members who have rendered satisfactory service and desire to return to employment in a similar capacity at a time determined by the Board.

Each leave of absence shall be of the shortest possible duration required to meet the leave's purpose consistent with a reasonable continuity of instruction for students.

Maternity Leave, Job-Sharing Leave

Please refer to the current Agreement between Leyden Community High School District 212 and American Federation of Teachers and its Affiliate The Leyden Council of the West Suburban Teachers' Union Local 571.

Leaves for Service in the Military

Leaves for service in the U.S. Armed Services or any of its reserve components and the National Guard, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in military service does not acquire tenure.

General Assembly

Leaves for service in the General Assembly, as well as re-employment rights, will be granted in accordance with State and federal law. A professional staff member hired to replace one in the General Assembly does not acquire tenure.

School Visitation Leave

An eligible professional staff member is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the teacher's child, if the conference or meeting cannot be scheduled during non-work hours. Professional staff members must first use all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the professional staff member, except sick, and disability leave.

The Superintendent shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act.

Leaves for Victims of Domestic Violence, Sexual Violence, Gender Violence, or Other Crime of Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence or (2) has a family or household member who is a victim of such violence whose interests are not adverse to the employee as it relates to the domestic violence, sexual violence, gender violence, or any other crime of violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action.

The Victims' Economic Security and Safety Act governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, if the District employs at least 50 employees, an employee is entitled to a total of 12 work weeks of unpaid leave during any 12-month period. Neither the law nor this policy creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. §2601 et seq.).

Leaves to Serve as an Officer or Trustee of a Specific Organization

Upon request, the Board will grant: (1) an unpaid leave of absence to a teacher who is elected to serve as an officer of a State or national teacher organization that represents teachers in collective bargaining negotiations, (2) 20 days of paid leave of absence per year to a trustee of the Teachers' Retirement System to attend meetings and seminars as described in 105 ILCS 5/24-6.3, and (3) a paid leave of absence for the local association president of a State teacher association that is an exclusive bargaining agent in the District, or his or her designee, to attend meetings, workshops, or seminars as described in 105 ILCS 5/24-6.2.

Leave to Serve as an Election Judge

Any staff member who was appointed to serve as an election judge under State law may, after giving at least 20 calendar days' written notice to the District, be absent without pay for the purpose of serving as an election judge. The staff member is not required to use any form of paid leave to serve as an election judge. No more than 10% of the District's employees may be absent to serve as election judges on the same Election Day.

COVID-19 Paid Administrative Leave

During any time when the Governor has declared a disaster due to a public health emergency under 20 ILCS 3305/7, paid administrative leave is available to eligible employees if the District, State or any of its agencies, or the local health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee from being on District property for a reason outlined in State law.

For an employee to be eligible for COVID-19 paid administrative leave, the employee must be fully vaccinated against COVID-19 as defined in 105 ILCS 5/10-20.83 (final citation pending).

The employee will receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Ill. Dept. of Public Health, unless a longer period has been negotiated with the exclusive bargaining representative.

As a condition of being granted COVID-19 paid administrative leave, an employee shall provide all documentation necessary to substantiate the employee's eligibility for the leave, as requested by the Superintendent or designee. An employee who is on COVID-19 paid administrative leave will receive the employee's regular rate of pay; the leave will not diminish any other leave or benefits of the employee. Employees may not accrue COVID-19 paid administrative leave.

LEGAL REF.:

105 ILCS 5/10-20.83 (final citation pending), 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.

10 ILCS 5/13-2.5, Election Code.

330 ILCS 61/, Service Member Employment and Reemployment Rights Act.

820 ILCS 154/, Child Bereavement Leave Act.

820 ILCS 147/, School Visitation Rights Act.

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

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

Adopted: January 19, 2023

5:260 Student Teachers

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. No individual who has been convicted of a criminal offense that would subject him or her to license suspension or revocation pursuant to Section 5/21B-80 of the School Code or who has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987 is permitted to student teach.

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

1. The District performed a *105 ILCS 5/10-21.9(g) Check* as described below; and
2. The individual furnished evidence of physical fitness to perform assigned duties and freedom from communicable disease pursuant to 105 ILCS 5/24-5.

A *105 ILCS 5/10-21.9(g) Check* shall include:

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

The School Code requires each individual student teaching or beginning a required internship to provide the District with written authorization for, and pay the costs of, his or her 105 ILCS 5/10-21.9(g) check . Upon receipt of this authorization, the Superintendent or designee will submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Ill. State Police (ISP), to the ISP. The Superintendent or designee will provide each student teacher with a copy of his or her report, if requested..

Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities.

LEGAL REF.:

34 U.S.C. §20901 et seq., Adam Walsh Child Protection and Safety Act, P.L. 109-248.

20 ILCS 2635/1, Uniform Conviction Information Act.

105 ILCS 5/10-21.9, 5/10-22.34, and 5/24-5.

CROSS REF.: 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:190 (Teacher Qualifications)

Adopted: May 18, 2023

Educational Support Personnel

Leyden CHSD 212

5:270 Employment At-Will, Compensation, and Assignment

Employment At-Will

Unless otherwise expressly stated in a written contract or collective bargaining agreement, all educational support personnel employees have an "at will" employment relationship with the School District. This means the employee has the right to terminate employment at any time for any reason, with or without cause or advance notice. The School District has the same rights to discipline an employee and/or terminate employment, subject only to the notice required by the School Code for reductions in full-time educational support personnel. Violation of the directions of a supervisor or of any of the rules or policies of the Board of Education may, among other reasons, result in discipline, up to any including suspension without pay and/or termination, depending on the circumstances. There is no requirement that employees be warned or suspended before being terminated.

Compensation

Please refer to the current Agreement between Board of Education of Leyden Community High School District Number 212 and Leyden Support Council, West Suburban Teachers' Union Local Number 571, IFT-AFT and the current Agreement between the Board of Education of Leyden Community High School District 212 and Leyden Council, Service Employees International Union - Local 73.

For those employees not covered by these agreements:

The Board will determine salary and wages for educational support personnel. Increments are dependent on evidence of continuing satisfactory performance. An employee covered by the overtime provisions in State or federal law shall not work overtime without the prior authorization from the employee's immediate supervisor. Educational support personnel are paid twice a month.

Assignment

The Superintendent is authorized to make assignments and transfers of educational support personnel.

Vacancies and Transfers

Please refer to the current Agreement between Board of Education of Leyden Community High School District Number 212 and Leyden Support Council, West Suburban Teachers' Union Local Number 571, IFT-AFT and the current Agreement between the Board of Education of Leyden Community High School District 212 and Leyden Council, Service Employees International Union - Local 73.

LEGAL REF.:

105 ILCS 5/10-22.34 and 5/10-23.5.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment) 5:35 (Compliance with the Fair Labor Standards Act), 5:290 (Employment Termination and Suspensions)

Adopted: January 21, 2021

5:280 Duties and Qualifications

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

Paraprofessionals and Licensed Teacher Aides

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

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

Nonlicensed Personnel Working with Students and Performing Non-Instructional Duties

Nonlicensed personnel performing non-instructional duties may be used:

1. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media, e.g., computers, video, and audio, detention and discipline areas, and school-sponsored extracurricular activities;
2. As supervisors, chaperones, or sponsors for non-academic school activities or for school activities connected to the academic program during any time in which the Governor has declared a disaster due to a public health emergency, in accordance with ISBE rule; or
3. For non-teaching duties not requiring instructional judgment or student evaluation.

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

Coaches and Athletic Trainers

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership. Regardless of whether the athletic activity is governed by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automatic External Defibrillator user according to rules adopted by the Illinois Department of Public Health. Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers Practice Act, be an athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law.

LEGAL REF.:

34 C.F.R. §200.58.

105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.

625 ILCS 5/6-104 and 5/6-106.1, Ill. Vehicle Code.

23 Ill.Admin.Code §§1.280, 1.630, and 25.510.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:35

(Compliance with the Fair Labor Standards Act), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Volunteers), 7:240 (Conduct Code for Participants in Athletics)

Adopted: January 19, 2023

Leyden CHSD 212

5:285 Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The District shall adhere to State and federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers. The Superintendent or designee manages a program to implement State and federal law defining the circumstances and procedures for the testing.

LEGAL REF.:

625 ILCS 5/6-106.1 and 5/6-106.1c.

49 U.S.C. §31306, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991, P.L. 102-143).

49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled Substance and Alcohol Use and Testing), and 395 (Hours of Service of Drivers).

CROSS REF.: 4:110 (Transportation), 5:30 (Hiring Process and Criteria), 5:280 (Duties and Qualifications)

Adopted: May 18, 2023

Leyden CHSD 212

5:290 Employment Termination and Suspensions

Resignation and Retirement

Please refer to the current Agreement between Board of Education of Leyden Community High School District Number 212 and Leyden Support Council, West Suburban Teachers' Union Local Number 571, IFT-AFT and the current Agreement between the Board of Education of Leyden Community High School District 212 and Leyden Council, Service Employees International Union – Local 73.

An employee is requested to provide two weeks' notice of a resignation. A resignation notice cannot be revoked once given. An employee planning to retire should notify his or her supervisor at least two months before the retirement date.

Non-RIF Dismissal

Please refer to the current Agreement between Board of Education of Leyden Community High School District Number 212 and Leyden Support Council, West Suburban Teachers' Union Local Number 571, IFT-AFT and the current Agreement between the Board of Education of Leyden Community High School District 212 and Leyden Council, Service Employees International Union – Local 73.

For those employees not covered by this agreement:

The District may terminate an at-will employee at any time for any reason, subject to State and federal law.

Employees who are employed annually or have a contract, or who otherwise have a legitimate expectation of continued employment, may be dismissed: (1) at the end of the school year or at the end of their respective contract after being provided appropriate notice and after compliance with any applicable contractual provisions, or (2) mid-year or mid-contract provided appropriate due process procedures are provided.

The Superintendent is responsible for making dismissal recommendations to the Board of Education consistent with the Board's goal of having a highly qualified, high performing staff. This includes recommending a non-licensed employee for immediate dismissal for willful or negligent failure to report an instance of suspected child abuse or neglect as required by 325 ILCS 5/.

Reduction in Force and Recall

Please refer to the current Agreement between Board of Education of Leyden Community High School District Number 212 and Leyden Support Council, West Suburban Teachers' Union Local Number 571, IFT-AFT and the current Agreement between the Board of Education of Leyden Community High School District 212 and Leyden Council, Service Employees International Union – Local 73.

For those employees not covered by this agreement:

The Board may, as necessary or prudent, decide to decrease the number of educational support personnel or to discontinue some particular type of educational support service and, as a result of that action, dismiss or reduce the hours of one or more educational support employees. When making decisions concerning reduction in force and recall, the Board will follow Sections 10-22.34c (outsourcing non-instructional services) and 10-23.5 (procedures) of the School Code, to the extent they are applicable and not superseded by legislation or an applicable collective bargaining agreement.

Final Paycheck

A terminating employee's final paycheck will be adjusted for any unused, earned vacation credit. Employees are paid for all earned vacation. Terminating employees will receive their final pay on the next regular payday following the date of termination, except that an employee dismissed due to a reduction in force shall receive his or her final paycheck on or before the next regular pay date following the last day of employment.

Suspension

Please refer to the current Agreement between Board of Education of Leyden Community High School District Number 212 and Leyden Support Council, West Suburban Teachers' Union Local Number 571, IFT-AFT.

For those employees not covered by this agreement:

Except as provided below, the Superintendent is authorized to suspend an employee without pay as a disciplinary measure, during an investigation into allegations of misconduct or pending a dismissal hearing whenever, in the Superintendent's judgment, the employee's presence is detrimental to the District. A disciplinary suspension shall be with pay: (1) when the employee is exempt from the overtime provisions, or (2) until an employee with an employment contract for a definite term is provided a notice and hearing according to the suspension policy for professional employees. Upon receipt of a recommendation from the Ill. Dept. Children and Family Services (DCFS) that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation that relates to his or her employment with the District, the Board or Superintendent or designee, in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended, proceeding with:
 - a. A suspension with pay; or
 - b. A suspension without pay.

This policy does not preclude action by the Board to suspend or dismiss any employee, or by the Superintendent to temporarily reassign any employee with pay awaiting action by the Board or pending investigation.

LEGAL REF.:

105 ILCS 5/10-22.34c and 5/10-23.5

5 ILCS 430 et seq., State Officials and Employees Ethics Act.

325 ILCS 5/7.4(c-10), Abused and Neglected Child Reporting Act.

820 ILCS 105/4a, Minimum Wage Law.

CROSS REF.: 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:240 (Suspension), 5:270 (Employment At-Will, Compensation, and Assignment)

Adopted: January 16, 2020

5:300 Schedules and Employment Year

The Superintendent shall supervise a process for setting work schedules and an employment year for educational support employees in accordance with State and federal law, Board policy, and applicable agreements and shall assign each employee one supervisor who will establish a work schedule, including breaks, as required by building or District needs, work load, and the efficient management of human resources.

Please also refer to the current Agreement between Board of Education of Leyden Community High School District Number 212 and Leyden Support Council, West Suburban Teachers' Union Local Number 571, IFT-AFT.

Breaks

Please refer to the current Agreement between Board of Education of Leyden Community High School District Number 212 and Leyden Support Council, West Suburban Teachers' Union Local Number 571, IFT-AFT.

For those employees not covered by this agreement:

An employee who works at least 7.5 continuous hours shall receive a 30-minute duty-free meal break that begins within the first five hours of the employee's workday. The District accommodates employees who are nursing mothers according to State and federal law.

LEGAL REF.:Fair Labor Standards Act, 29 U.S.C. §207 et seq.

105 ILCS 5/10-20.14a, 5/10-22.34, and 5/10-23.5.

740 ILCS 137/, Right to Breastfeed Act.

820 ILCS 105/, Minimum Wage Law.

820 ILCS 260/, Nursing Mothers in the Workplace Act.

CROSS REF.:5:35 (Compliance with the Fair Labor Standards Act)

ADOPTED:May 18, 2017

Leyden CHSD 212

5:320 Evaluation

The Assistant Superintendent is responsible for designing and implementing a program for evaluating the job performance of each educational support staff member according to standards contained in Board policies as well as in compliance with State law and any applicable employee handbook and/or collective bargaining agreement. The standards for the evaluation program shall include, but not be limited to:

1. Each employee shall be evaluated annually, preferably before the annual salary review.
2. The direct supervisor shall provide input.
3. The employee's work quality, promptness, attendance, reliability, conduct, judgment, and cooperation shall be considered.
4. The employee shall receive a copy of the annual evaluation.
5. All evaluations shall comply with State and federal law and any applicable employee handbook and/or collective bargaining agreement.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:150 (Personnel Records)

Adopted: January 19, 2023

Leyden CHSD 212

5:330 Sick Days, Vacation, Holidays, and Leaves

The provisions in this policy apply to all educational support personnel except to the extent the policy is inconsistent with an applicable collective bargaining agreement or individual contract on the same subject; to the extent of the inconsistency the applicable bargaining agreement or individual contract will control.

Non-bargaining unit employees shall receive a salary and benefit letter from the Assistant Superintendent upon initial employment and annually thereafter. This letter shall specify the hourly wage and benefits for the applicable position, as established by the Board, but is not a contract. The letter shall cover the leave, vacation and holiday benefits identified below. The wages and benefits may be increased, reduced or modified from time to time in the discretion of the Board.

Sick Leave

Sick leave includes personal illness, mental or behavioral complications, quarantine at home, or serious illness or death in the immediate family or household as defined in 105 ILCS 5/24. The Superintendent and/or designee shall monitor the use of sick leave. 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 Illinois Municipal Retirement Fund. 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.

As a condition for paying sick leave after three days absence for personal illness 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 mental health professional licensed in Illinois providing ongoing care or treatment to the staff member, (3) a chiropractic physician licensed under the Medical Practice Act, (4) a licensed advanced practice registered nurse, (5) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (6) 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.

Employees are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Such days may be used at any time within the 12-month period following the birth of the child. Intervening periods of nonworking days or school not being in session, such as breaks and holidays, do not count towards the 30 working school days. As a condition of paying sick leave beyond the 30 working school days, the Board or the Superintendent may require medical certification.

For purposes of adoption, placement for adoption, or acceptance of a child in need of foster care, paid sick leave may be used for reasons related to the formal adoption or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, and for taking custody of the child or accepting the child in need to foster care. Such leave is limited to 30 days, unless a longer leave is provided in an applicable collective bargaining agreement, and need not be used consecutively once the formal adoption or foster care process is underway. The Board or Superintendent may require that the employee provide evidence that the formal adoption or foster care process is underway.

Bereavement Leave

The Board of Education shall grant all regularly employed full-time and part-time employees funeral leave upon the death of a member of the immediate family or household. Absence for funerals will be at full pay and shall not exceed (3) school days per funeral. Immediate family shall be interpreted to

include: parents, step-parents, spouse, brothers, sisters, children, step-children, grandparents, grandchildren, parents-in-law, brothers-in-law, sisters-in-law, and legal guardians. Also included is any other permanent resident of the household. Funeral leaves shall not be accumulative and shall have no bearing on the accumulative days of sick leave. Available emergency days may be used for funerals not included above.

Extension of Vacation

An employee shall be entitled to his/her earned vacation only. Additional time off as an extension of his/her vacation, even though the extended time would be without pay, will not be permissible unless approved by the superintendent or designee.

Unused Vacation

Unused vacation shall be paid to employees who are not returning for the next year's work, up to the full entitled vacation.

Leave to Serve as a Trustee of the Ill 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 State law.

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. Leave for Service in the Military.
2. Leave for Service in the General Assembly.
3. School Visitation Leave.
4. Leaves for Victims of Domestic Violence, Sexual Violence, Gender Violence, or Other Crime of Violence.
5. Family Bereavement Leave.
6. Leave to serve as an election judge.
7. COVID-19 Paid Administrative Leave.

LEGAL REF.:

40 ILCS 5/7-139.

105 ILCS 5/10-20.7b, 5/10-20.83 (final citation pending), 5/24-2, 5/24-6, and 5/24-6.3.

10 ILCS 5/13-2.5, Election Code.

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), 6:20 (School Year Calendar and Day)

Adopted: January 19, 2023

Leyden CHSD 212

5:422 Uniform Allowance

New, full-time employees shall receive five uniforms consisting of 1 shirt and 1 pants upon completion of the six month probationary period. In succeeding years, each full-time employee shall receive two uniforms consisting of 2 tee shirts and 2 pants. In lieu of 1 shirt an employee may select 2 tee shirts. Uniforms will be distributed three weeks before graduation except in the case of new employees where the probationary period is observed.

A payroll deduction from each new employee's pay will be made for the actual cost of the uniform. All new employees will be given uniforms as soon as order can be processed. This will affect all employees hired after July 1, 1988. The employee will be reimbursed by the employer after one year of work. No reimbursement will be made if the employee resigns or is terminated.

ADOPTED: June 19, 2008

Leyden CHSD 212

SECTION 6 - INSTRUCTION

Leyden CHSD 212

6:10 Educational Philosophy and Objectives

The District's educational program will seek to provide an opportunity for each student to develop to his or her maximum potential. The objectives for the educational program are to:

1. Foster students' self-discovery, self-awareness, and self-discipline.
2. Develop students' awareness of and appreciation for cultural diversity.
3. Stimulate students' intellectual curiosity and growth.
4. Provide students with fundamental career concepts and skills.
5. Help students develop sensitivity to the needs and values of others and a respect for individual and group differences.
6. Help each student strive for excellence and instill a desire to reach the limit of his or her potential.
7. Encourage students to become life long learners.
8. Provide an educational climate and culture free of bias concerning the protected classifications identified in policy 7:10, *Equal Educational Opportunities*.

In order for the Board of Education to monitor whether the educational program is attaining these objectives and to be knowledgeable of current and future resource needs, the administrator responsible for curriculum and instruction shall prepare an annual report that includes:

1. A review and evaluation of the present curriculum.
2. A projection of curriculum and resource needs.
3. Any plan for new or revised instructional program implementation.
4. A review of present and future facility needs.

CROSS REF:1:30 (School District Philosophy), 3:10 (Goals and Objectives), 6:15 (School Accountability), 7:10 (Equal Educational Opportunities)

ADOPTED:October 12, 2017

Leyden CHSD 212

6:15 School Accountability

According to the Illinois General Assembly, the primary purpose of schooling is the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work. To fulfill that purpose, the Ill. State Board of Education (ISBE) prepared *State Goals for Learning and Learning Standards*.

The Board of Education gives priority in the allocation of resources, including funds, time, personnel, and facilities, to fulfilling this purpose.

Quality Assurance

The Board continuously monitors student achievement and the quality of the District's work. The Superintendent shall supervise the following quality assurance components, in accordance with State law and ISBE rules, and continuously keep the Board informed:

1. Prepare each school's annual recognition application and quality assurance appraisal, whether internal or external, to assess each school's continuous school improvement.
2. Continuously assess the District's and each school's overall performance in terms of both academic success and equity. This includes, without limitation, a thorough analysis of ISBE's balanced accountability measure and each school's Multiple Measure Index and corresponding Annual Measurable Objective provided by ISBE.
3. If applicable, develop District and School Improvement Plans, present them for Board approval, and supervise their implementation.
4. Prepare a school report card, present it at a regular Board meeting, and disseminate it as provided in State law.
5. In accordance with 105 ILCS 5/2-3.153, annually administer a climate survey on the instructional environment within the school to, at minimum, students in grades 9 through 12 and teachers.

The Superintendent shall make regular assessment reports to the Board, including projections whether the District and each school is or will be making adequate yearly progress as defined in State law. The Superintendent shall seek Board approval for each District and/or school improvement plan and otherwise when necessary or advisable.

LEGAL REF.:

105 ILCS 5/2-3.25, 5/2-3.25a, 5/2-3.25b, 5/2-3.25c, 5/2-3.25d-5, 5/2-3.25e-5, 5/2-3.25f, 5/2-3.25f-5, 5/2-3.63, 5/2-3.64a-5, 5/2-3.153, 5/10-17a, 5/10-21.3a, and 5/27-1.

23 Ill.Admin.Code Part 1, Subpart A: Recognition Requirements.

CROSS REF.: 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program), 7:10 (Equal Educational Opportunities)

Adopted: January 19, 2023

6:20 School Year Calendar and Day

School Calendar

The Board of Education, upon the Superintendent's recommendation and subject to State regulations, annually establishes the dates for opening and closing classes, teacher institutes and in-services, the length and dates of vacations, and the days designated as legal school holidays. The school calendar shall have a minimum of 185 days to ensure 176 days of actual student attendance.

Commemorative Holidays

The teachers and students shall devote a portion of the school day on each commemorative holiday designated in the School Code to study and honor the commemorated person or occasion. The Board may, from time to time, designate a regular school day as a commemorative holiday.

School Day

The Board establishes the length of the school day with the recommendation of the Superintendent and subject to State law requirements. The Superintendent or designee shall ensure observances required by State law are followed during each day of school attendance.

LEGAL REF.:

105 ILCS 5/10-19, 5/10-19.05, 5/10-20.56, 5/10-20.46, 5/10-30, 5/18-12, 5/18-12.5, 5/24-2, 5/27-3, 5/27-18, 5/27-19, 5/27-20, 5/27-20.1, and 5/27-20.2.

10 ILCS 5/11-4.1, Election Code.

5 ILCS 490/, State Commemorative Dates Act.

23 Ill.Admin.Code §1.420(f).

Metzl v. Leininger, 850 F.Supp. 740 (N.D. Ill. 1994), *aff'd* by 57 F.3d 618 (7th Cir. 1995).

CROSS REF.: 2:20 (Powers and Duties of the Board of Education; Indemnification), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:200 (Terms and Conditions of Employment and Dismissal), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 6:60 (Curriculum Content), 6:70 (Teaching About Religions), 7:90 (Release During School Hours)

Adopted: January 19, 2023

Leyden CHSD 212

6:20-E Exhibit - Standard School Calendar

1. The standard school calendar shall be based on a minimum of 185 teacher service days.
2. Four Institute Days will be observed.
3. **Opening/Closing of School**

In order to maximize instructional opportunities for students, the Superintendent or designee will work with a calendar committee of staff members each year to set the school calendar for the next year, with the goal of (1) ending first semester prior to winter break and (2) balancing the number of instructional days between semesters as much as possible. School will officially close on the 185th day after the start of school (176 student contact days, 4 Institute Days, 5 Emergency Days). If emergency closing days have not been used, the Board of Education may declare holidays during the last week.

4. **Holiday Observance**

School may be closed to observe the following legal holidays:

- *Labor Day*: the first Monday in September.
- *Columbus Day/Indigenous Peoples' Day*: the second Monday in October.
- *Election Day*: as directed by the State of Illinois
- *Thanksgiving*: the fourth Thursday in November. School will close at the end of the school day on Tuesday before Thanksgiving. School will reopen the following Monday.
- *Winter Break*: at least two (2) full weeks of vacation.
- *Martin Luther King's Birthday*: the third Monday in January.
- *Presidents' Day*: the third Monday in February.
- *Casimir Pulaski's Birthday*: the first Monday in March.
- *Spring Break*: at least five (5) days commencing with the last Monday in March.
- *Good Friday* (When Good Friday falls within the week of spring break, the Monday following spring break will be included as part of the break.)
- *Memorial Day*: Same day as the federal holiday (the last Monday in May).
- *Juneteenth*: June 19th or the applicable observation day.

DATED: July 10, 2010

REVISED: January 19, 2017; December 9, 2021

Leyden CHSD 212

6:40 Curriculum Development

Adoption

The administrator responsible for curriculum and instruction shall recommend a comprehensive curriculum that is aligned with:

1. The District's educational philosophy and goals.
2. Student needs as identified by research, demographics, and student achievement and other data.
3. The knowledge, skills, and abilities required for students to become life-long learners.
4. The minimum requirements of State and federal law and regulations for curriculum and graduation requirements.
5. The curriculum of non-District schools that feed into or from a District school, provided that the necessary cooperation and information is available.
6. The Illinois State Learning Standards, Common Core Standards for English Language Arts and Mathematics, and any District learning standards.
7. Any required State or federal student testing.

The Board of Education will adopt, upon recommendation of the Superintendent, a curriculum that meets the above criteria.

Development

The administrator responsible for curriculum and instruction shall develop a curriculum review program to monitor the current curriculum and promptly suggest changes to make the curriculum more effective, to take advantage of improved teaching methods and materials, and to be responsive to social change, technological developments, student needs, and community expectations.

The curriculum review program shall:

1. Ensure regular evaluations of the curriculum and instructional program.
2. Ensure the curriculum continues to meet the stated adoption criteria.
3. Include input from a cross-section of teachers, administrators, parents, and students, representing all schools, grade levels, disciplines, and specialized and alternative programs.
4. Coordinate with the process for evaluating the instructional program and materials.

Experimental Educational Programs and Pilot Projects

The administrator responsible for curriculum and instruction may recommend experimental educational programs and/or pilot projects for Board consideration. Proposals must include goals, material needs, anticipated expenses, and an evaluation process. The administrator responsible for curriculum and instruction shall submit to the Board periodic progress reports for programs that exceed one year in duration and a final evaluation with recommendation upon the program's completion.

Curriculum Guides and Course Outlines

The administrator responsible for curriculum and instruction shall develop and provide subject area curriculum guides to appropriate staff members.

Single-Gender Classes and Activities

The administrator responsible for curriculum and instruction may recommend a program of

nonvocational single-gender classes and/or activities to provide diverse educational opportunities and/or meet students' identified educational needs. Participation in the classes or activities must be voluntary, both genders must be treated with substantial equality, and the program must otherwise comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*. The administrator responsible for curriculum and instruction must periodically evaluate any single-gender class or activity to ensure that: (1) it does not rely on overly broad generalizations about the different talents, capabilities, or preferences of either gender, and (2) it continues to comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*.

LEGAL REF.:

20 U.S.C. §1681, Title IX of the Education Amendments of 1972, implemented by 34 C.F.R. Part 106.
105 ILCS 5/10-20.8 and 5/10-19.

CROSS REF.:6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:70 (Teaching About Religions), 6:80 (Teaching About Controversial Issues), 6:100 (Using Animals in the Educational Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:150 (Home and Hospital Instruction), 6:160 (English Learners), 6:170 (Title I Programs), 6:180 (Extended Instructional Programs), 6:235 (Use of Technology), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights)

Adopted: September 12, 2019

Leyden CHSD 212

6:40-E Exhibit - New Course Development Timetable

Steps	Action	Month*	Personnel Involved
1	Proposal originates in Departments	March	Proposal Author, Department Chair Admin Responsible for Cur. & Instruction
2	Rough draft of proposal presented to Administrative Council	March	Administrative Council
3	Proposal presented to the Curriculum Advisory Council	March	Curriculum Advisory Council Members
4	All departments discuss the proposal	April	All Faculty
5	Department Chairs give final input on proposal	May	Department Chairs
6	Administrative council reviews the final proposal and makes recommendations	May/June	Administrative Council
7	Proposal author develops course outline and sample units	Summer	Proposal Author
8	Proposal author and department chair presents final proposal to Board of Education	September/October	Board of Education
9	Course Implementation	August	Staff

*Last month to initiate this step

NOTE: No Department Chairs should serve on the Curriculum Advisory Council. The course development process, as described in this table, may take up to 1.5 to 2 years.

In instances when legislative action or unforeseen need require modification in the curriculum, curricular changes may be made more expeditiously.

DATED: October 12, 2017

6:50 School Wellness

Leyden Community High School District 212 recognizes the positive relationship between sound nutrition, physical activity, and the capacity of students to develop and learn. To that end, student wellness shall be promoted through the District's educational programs, activities, and meal programs.

Nutritional Guidelines for Foods Available During the School Day

The District shall promote nutritious food and beverage choices consistent with the current *Dietary Guidelines for Americans*, as published jointly by the United States Departments of Agriculture (USDA) and Health and Human Services. In addition, in order to promote student health and reduce childhood obesity, the Superintendent or designee shall restrict the sale of *competitive foods*, as defined by the USDA, in the food service areas during meal periods and comply with all ISBE rules.

Exempted Fundraising Day (EFD) Requests

All food and beverages sold to students on the school campuses of participating schools during the school day must comply with the "general nutrition standards for competitive foods" specified in federal law, unless the Superintendent or designee in a participating school has granted an exempted fundraising day (EFD). To request an EFD and learn more about the District's related procedure(s), contact the Superintendent or designee. The District's procedures are subject to change. The number of EFDs is set by ISBE rule.

Goals for Nutrition Education

The District shall support and promote sound nutrition for students. Nutrition education shall be part of the District's comprehensive health education program, and nutrition education shall be integrated into the standards-based lesson plans of other school subjects such as science, math, language arts, social science and physical education.

Goals for Physical Activity Into the Educational Program

Physical education shall be taught in all grades and shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health related fitness, and encourages healthy habits. Unless otherwise exempted, all students shall participate in physical education classes.

Parent and Community Input

The Superintendent or designee shall actively invite suggestions concerning the development, implementation, and improvement of the school wellness policy from community members, parents, students, school staff members, and members of the school food authority.

Unused Food Sharing Plan

In collaboration with the District's local health department, the Superintendent or designee will:

1. Develop and support a food sharing plan (Plan) for unused food that is focused on needy students.
2. Implement the Plan throughout the District.
3. Ensure the Plan complies with the Richard B. Russell National School Lunch Act, as well as accompanying guidance from the U.S. Department of Agriculture on the Food Donation Program.
4. Ensure that any leftover food items are properly donated to combat potential food insecurity in the District's community. *Properly* means in accordance with all federal regulations and State

and local health and sanitation codes.

Monitoring

The Superintendent or designee shall provide an annual report to the Board of Education regarding the implementation of this policy.

Recordkeeping

The Superintendent or designee shall retain records to document compliance with this policy.

LEGAL REF.:

Pub. L. 108-265, Sec. 204, Child Nutrition and WIC Reauthorization Act of 2004.

42 U.S.C. §1771 et seq., Child Nutrition Act of 1966.

42 U.S.C. §1751 et seq., National School Lunch Act.

42 U.S.C. §1758b, Pub. L. 111-296, Healthy, Hunger-Free Kids Act of 2010.

42 U.S.C. §1779, as implemented by 7 C.F.R. §§210.11 and 210.31.

50 ILCS 205/, Local Records Act.

105 ILCS 5/2-3.139 and 5/2-3.189.

23 Ill.Admin.Code Part 305, Food Program.

ISBE's *School Wellness Policy* Goal, adopted Oct. 2007.

CROSS REF.: 4:120 (Food Services), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 7:260 (Exemption from Physical Education)

Adopted: March 16, 2023

Leyden CHSD 212

6:60 Curriculum Content

The curriculum shall contain instruction on subjects required by State statute or regulation as follows:

1. In grades 9 through 12, subjects include: (a) language arts, (b) writing intensive courses, (c) science, (d) mathematics, (e) social studies including U.S. history, American government and one semester of civics, (f) foreign language, (g) music, (h) art, (i) driver and safety education, and (j) vocational education.

Students otherwise eligible to take a driver education course must receive a passing grade in at least eight courses during the previous two semesters before enrolling in the course. The Superintendent or designee may waive this requirement if he or she believes a waiver to be in the student's best interest. The course shall include: (a) instruction necessary for the safe operation of motor vehicles, including motorcycles, to the extent that they can be taught in the classroom, (b) classroom instruction on distracted driving as a major traffic safety issue, (c) instruction on required safety and driving precautions that must be observed at emergency situations, highway construction and maintenance zones, and railroad crossings and their approaches, and (d) instruction concerning law enforcement procedures for traffic stops, including a demonstration of the proper actions to be taken during a traffic stop and appropriate interactions with law enforcement. Automobile safety instruction covering traffic regulations and highway safety must include instruction on the consequences of alcohol consumption and the operation of a motor vehicle. The eligibility requirements contained in State law for the receipt of a certificate of completion from the Secretary of State shall be provided to students in writing at the time of their registration.

2. In each grade, as well as in interscholastic athletic programs, steroid abuse prevention must be taught.
3. In each grade, provided it can be funded by private grants or the federal government, violence prevention and conflict resolution must be stressed, including: (a) causes of conflict, (b) consequences of violent behavior, (c) non-violent resolution, and (d) relationships between drugs, alcohol, and violence.
4. In grades 9 through 12, age-appropriate Internet safety, must be taught the scope of which shall be determined by the Superintendent or designee. The curriculum must incorporate policy 6:235, Access to Electronic Networks and, at a minimum, include: (a) education about appropriate online behavior, (b) interacting with other individuals on social networking websites and in chat rooms, and (c) cyberbullying awareness and response.
5. In all grades, students must receive developmentally appropriate opportunities to gain computer literacy skills that are embedded in the curriculum.
6. In all grades, character education must be taught including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage. Instruction in all grades will include examples of behaviors that violate policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.
7. In all schools, citizenship values must be taught, including: (a) American patriotism, (b) principles of representative government (the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois), (c) proper use and display of the American flag, (d) the Pledge of Allegiance, and (e) the voting process.
8. In all grades, physical education must be taught including a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. Unless otherwise exempted, all students are required to engage in a physical education course with such frequency as determined by the Board after recommendation from the Superintendent, but at a minimum of three days per five-day week. For exemptions and

substitutions, see policies 6:310, High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students and 7:260, Exemption from Physical Education.

9. In all schools, health education must be stressed, including: (a) proper nutrition, (b) physical fitness, (c) components necessary to develop a sound mind in a healthy body, (d) dangers and avoidance of abduction, and (e) age-appropriate and evidence-informed sexual abuse and assault awareness and prevention education in all grades. The Superintendent shall implement a comprehensive health education program in accordance with State law, including a personal health and safety and sexual health education program (National Sex Education Standards) pursuant to 105 ILCS 5/27-9.1a.
10. In all schools, career/vocational education must be taught, including: (a) the importance of work, (b) the development of basic skills to enter the world of work and/or continue formal education, (c) good work habits and values, (d) the relationship between learning and work, and (e) if possible, a student work program that provides the student with work experience as an extension of the regular classroom. A career awareness and exploration program must be available at all grade levels.
11. In grades 9 through 12, consumer education must be taught, including: (a) financial literacy, including consumer debt and installment purchasing (including credit scoring, managing credit debt, and completing a loan application); budgeting; savings and investing; banking (including balancing a checkbook, opening a deposit account, and the use of interest rates); understanding simple contracts; State and federal income taxes; personal insurance policies; the comparison of prices; higher education student loans; identity-theft security; and homeownership (including the basic process of obtaining a mortgage and the concepts of fixed and adjustable rate mortgages, subprime loans, and predatory lending); and (b) the roles of consumers interacting with agriculture, business, labor unions and government in formulating and achieving the goals of the mixed free enterprise system.
12. In grades 9 through 12, a unit of instruction about the process of naturalization by which a foreign citizen or foreign national becomes a U.S. citizen that includes content from the components of the naturalization test administered by the U.S. Citizenship and Immigration Services.
13. Beginning in the fall of 2022, in grades 9 through 12, intensive instruction in computer literacy, which may be included as a part of English, social studies, or any other subject.
14. Beginning in the fall of 2022, in grades 9 through 12, a unit of instruction on media literacy that includes, but is not limited to, all of the following topics: (a) accessing information to evaluate multiple media platforms and better understand the general landscape and economics of the platforms, and issues regarding the trustworthiness of the source of information; (b) analyzing and evaluating media messages to deconstruct media representations according to the authors, target audience, techniques, agenda setting, stereotypes, and authenticity to distinguish fact from opinion; (c) creating media to convey a coherent message using multimodal practices to a specific target audience that includes, but is not limited to, writing blogs, composing songs, designing video games, producing podcasts, making videos, or coding a mobile or software application; (d) reflecting on media consumption to assess how media affects the consumption of information and how it triggers emotions and behavior; and (e) social responsibility and civics to suggest a plan of action in the class, school, or community for engaging others in a respectful, thoughtful, and inclusive dialogue over a specific issue using facts and reason.
15. Beginning in the fall of 2023, in grades 9 through 12, an opportunity for students to take at least one computer science course aligned to Illinois learning standards. *Computer science* means the study of computers and algorithms, including their principles, hardware and software designs, implementation, and impact on society. Computer science does not include the study of everyday uses of computers and computer applications; e.g., keyboarding or accessing the Internet.
16. In all schools, conservation of natural resources must be taught, including: (a) home ecology, (b) endangered species, (c) threats to the environment, and (d) the importance of the environment to life as we know it.

17. In all schools, United States (U.S.) history must be taught, including: (a) the principles of representative government, (b) the Constitutions of the U.S. and Illinois, (c) the role of the U.S. in world affairs, (d) the role of labor unions, (e) the role and contributions of ethnic groups, including but not limited to, the African Americans, Albanians, Asian Americans, Bohemians, Czechs, French, Germans, Hispanics (including the events related to the forceful removal and illegal deportation of Mexican-American U.S. citizens during the Great Depression), Hungarians, Irish, Italians, Lithuanians, Polish, Russians, Scots, and Slovaks in the history of this country and State, (f) a study of the roles and contributions of lesbian, gay, bisexual, and transgender (LGBT) people in the history of the U.S. and Illinois, (g) Illinois history, and (h) the contributions made to society by Americans of different faith practices, including, but not limited to, Muslim Americans, Jewish Americans, Christian Americans, Hindu Americans, Sikh Americans, Buddhist Americans, and any other collective community of faith that has shaped America.

In addition, all schools shall hold an educational program on the United States Constitution on Constitution Day, each September 17, commemorating the September 17, 1787 signing of the Constitution. However, when September 17 falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week.

18. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on the Holocaust and crimes of genocide, including Nazi atrocities of 1933-1945, Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan.
19. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on the history, struggles, and contributions of women.
20. In all schools, the curriculum includes instruction as determined by the Superintendent or designee on Black History, including the history of the pre-enslavement of Black people from 3,000 BCE to AD 1619, the African slave trade, slavery in America, the study of the reasons why Black people came to be enslaved, the vestiges of slavery in this country, the study of the American civil rights renaissance, as well as the struggles and contributions of African-Americans.
21. In all schools offering a secondary agricultural education program, courses as required by 105 ILCS 5/2-3.80.
22. In all schools, instruction during courses as determined by the Assistant Superintendent of Curriculum and Instruction on disability history, awareness, and the disability rights movement.
23. Beginning in the fall of 2022, in all schools, instruction as determined by the Superintendent or designee on the events of Asian American history, including the history of Asian Americans in Illinois and the Midwest, as well as the contributions of Asian Americans toward advancing civil rights from the 19th century onward, which must include the contributions made by individual Asian Americans in government and the arts, humanities, and sciences, as well as the contributions of Asian American communities to the economic, cultural, social, and political development of the United States.

LEGAL REF.:

Pub. L. No. 108-447, Section 111 of Division J, Consolidated Appropriations Act of 2005.

Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008), Protecting Children in the 21st Century Act.

47 C.F.R. §54.520.

5 ILCS 465/3 and 465/3a.

20 ILCS 2605/2605-480.

105 ILCS 5/2-3.80(e) and (f), 5/10-20.79, 5/10-23.13, 5/27-3, 5/27-3.5, 5/27-5, 5/27-6, 5/27-6.5, 5/27-

7, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.08, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-20.7, 5/27-20.8, 5/27-21, 5/27-22, 5/27-23.3, 5/27-23.4, 5/27-23.7, 5/27-23.8, 5/27-23.10, 5/27-23.11, 5/27-23.15, 5/27-23.16, 5/27-24.1, and 5/27-24.2.

105 ILCS 110/3, Comprehensive Health Education Program.

105 ILCS 435/, Vocational Education Act.

625 ILCS 5/6-408.5, Ill. Vehicle Code.

23 Ill.Admin.Code §§1.420, 1.425, 1.430, and 1.440.

CROSS REF.: 4:165 (Awareness and Prevention of Child Sex Abuse and Grooming Behaviors), 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:70 (Teaching About Religions), 7:180 (Preventing Bullying, Intimidation, and Harassment), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:260 (Nonparticipation in Physical Education)

Adopted: January 19, 2023

Leyden CHSD 212

6:65 Student Social and Emotional Development

Student social and emotional development shall be incorporated in the District's educational program and shall be consistent with the social and emotional development standards to be contained in the Illinois Learning Standards. The objectives for addressing the needs of students for social and emotional development through the educational programs are to:

1. Enhance students' school readiness, academic success, and use of good citizenship skills;
2. Foster a safe, supportive learning environment where students feel respected and valued;
3. Teach social and emotional skills to all students;
4. Partner with families and the community to promote students' social and emotional development;
and
5. Prevent or minimize mental health problems in students.

LEGAL REF.:

Children's Mental Health Act, 405 ILCS 49/.

CROSS REF.: 7:100 (Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment)

Adopted: January 19, 2023

Leyden CHSD 212

6:70 Teaching About Religions

The School District's curriculum may include the study of religions as they relate to geography, history, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religion, religious belief, or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion.

LEGAL REF.:

School Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963).

Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 (1989).

CROSS REF.: 6:40 (Curriculum Development)

Adopted: July 21, 2022

Leyden CHSD 212

6:80 Teaching About Controversial Issues

The Superintendent shall ensure that all school-sponsored presentations and discussions of controversial or sensitive topics in the instructional program, including those made by guest speakers, are:

- Age-appropriate. Proper decorum, considering the students' ages, should be followed.
- Consistent with the curriculum and serve an educational purpose.
- Informative and present a balanced view.
- Respectful of the rights and opinions of everyone. Emotional criticisms and hurtful sarcasm should be avoided.
- Not tolerant of profanity or slander.

The District specifically reserves its right to stop any school-sponsored activity that it determines violates this policy, is harmful to the District or the students, or violates State or federal law.

LEGAL REF.:

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Mayer v. Monroe Cnty. Cmty. Sch. Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 6:40 (Curriculum Development)

Adopted: July 21, 2022

Leyden CHSD 212

6:100 Using Animals in the Educational Program

Animals may be brought into school facilities for educational purposes according to procedures developed by the Superintendent assuring: (a) the animal is appropriately housed, humanely cared for, and properly handled, and (b) students will not be exposed to a dangerous animal or an unhealthy environment.

Animal Experiments

Experiments on living animals are prohibited; however, behavior studies that do not impair an animal's health or safety are permissible.

Animal Dissection

The dissection of dead animals or parts of dead animals shall be allowed in the classroom only when the dissection exercise contributes to or is a part of an illustration of pertinent study materials. All dissection of animals shall be confined to the classroom and must comply with the School Code.

Students who object to performing, participating in, or observing the dissection of animals will be given an alternative assignment.

LEGAL REF.:

105 ILCS 5/2-3.122, 5/27-14, and 112/1 et seq.

CROSS REF.: 6:40 (Curriculum Development)

Adopted: September 16, 2021

6:110 Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program

The administrator responsible for curriculum and instruction or designee shall develop, maintain, and supervise a program for students at risk of academic failure or dropping out of school. The program shall include education and support services addressing individual learning styles, career development, and social needs, and may include without limitation one or more of the following:

- Parent-teacher conferences
- Counseling services by social workers and/or guidance counselors
- Psychological testing
- Alternative school placement
- Community agency services
- Alternative learning opportunities program, in conformity with the Alternative Learning Opportunities Law, as it may be amended from time-to-time
- Graduation incentives program
- Remedial assistance

LEGAL REF.:

105 ILCS 5/2-3.41, 5/2-3.66, 5/10-20.9a, 5/13B-1, 5/26-2a, 5/26-13, 5/26-14, and 5/26-16.

CROSS REF.: 6:280 (Grading and Promotion), 7:70 (Attendance and Truancy)

Adopted: August 13, 2020

Leyden CHSD 212

6:120 Education of Children with Disabilities

The District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term "children with disabilities," as used in this policy, means children between ages 14 (or has graduated from 8th grade) and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Ill. State Board of Education (ISBE) *Special Education* rules, that special education services are needed. Children with disabilities who turn 22 years old during the school year are eligible for such services through the end of the school year.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the ISBE *Special Education* rules. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), and representation by counsel, and a review procedure.

The District may maintain membership in one or more cooperative associations of school districts that shall assist the School District in fulfilling its obligations to the District's students with disabilities.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

LEGAL REF.:

20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act of 2004.

29 U.S.C. §794, Rehabilitation Act of 1973, Section 504.

42 U.S.C. §12101 et seq., Americans With Disabilities Act.

34 C.F.R. Part 106.

34 C.F.R. Part 300.

105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.

23 Ill.Admin.Code Part 226.

CROSS REF.: 2:150 (Committees), 6:150 (Homebound/Hospital Instruction), 7:230 (Misconduct by Students with Disabilities)

Adopted: January 20, 2022

6:135 Accelerated Placement Program

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

The Superintendent or designee shall implement an APP that includes:

1. Decision-making processes that are fair, equitable, and involve multiple individuals, e.g. District administrators, teachers, and school support personnel, and a student's parent(s)/guardian(s);
2. Notification processes that notify a student's parent(s)/guardian(s) of a decision affecting a student's participation in the APP;
3. Assessment processes that include multiple valid, reliable indicators; and
4. The automatic enrollment, in the following school term, of a student into the next most rigorous level of advanced coursework offered by the high school if the student meets or exceeds State standards in English language arts, mathematics, or science on a State assessment administered under 105 ILCS 5/2-3.64a-5, as follows:
 - a. A student who meets or exceeds State standards in English language arts shall be automatically enrolled into the next most rigorous level of advanced coursework in English, social studies, humanities, or related subjects.
 - b. A student who meets or exceeds State standards in mathematics shall be automatically enrolled into the next most rigorous level of advanced coursework in mathematics.
 - c. A student who meets or exceeds State standards in science shall be automatically enrolled into the next most rigorous level of advanced coursework in science.

The Superintendent or designee shall annually notify the community, parent(s)/guardian(s), students, and school personnel about the APP, the process for referring a student for possible evaluation for accelerated placement, and the methods used to determine whether a student is eligible for accelerated placement, including strategies to reach groups of students and families who have been historically underrepresented in accelerated placement programs and advanced coursework. Notification may: (a) include varied communication methods, such as student handbooks and District or school websites; and (b) be provided in multiple languages, as appropriate.

LEGAL REF.:

105 ILCS 5/14A.

23 Ill.Admin.Code Part 227, Gifted Education.

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

Adopted: May 18, 2023

6:140 Education of Homeless Children

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths, including a public pre-school education. A *homeless child* is defined as provided in the McKinney Homeless Assistance Act and the Education for Homeless Children Act. The Superintendent or designee shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation.

A homeless child may attend the District school that the child attended when permanently housed or in which the child was last enrolled. A homeless child living in any District school's attendance area may attend that school.

The Director of Special Education shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Transportation shall be provided in accordance with the McKinney Homeless Assistance Act and State law. The Director of Special Education shall give special attention to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school. If a child is denied enrollment or transportation under this policy, the Liaison for Homeless Children shall immediately refer the child or his or her parent/guardian to the ombudsperson appointed by the Intermediate Service Center Executive Director and provide the child or his or her parent/guardian with a written explanation for the denial.

LEGAL REF.:

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

105 ILCS 45/, Education for Homeless Children Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students)

Adopted: July 21, 2022

Leyden CHSD 212

6:145 Migrant Students

The Superintendent will develop and implement a program to address the needs of migrant children in the District in accordance with federal law.

This program will:

1. Identify migrant students and assess their educational and related health and social needs.
2. Provide a full range of services to migrant students through appropriate local, State and federal educational programs, including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs, and elective classes.
3. Provide migrant children with full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet.
4. Provide, to the extent feasible:
 - a. Advocacy and outreach programs to migrant children and their families, including helping such children and families gain access to other education, health, nutrition, and social services,
 - b. Professional development programs, including mentoring, for District staff,
 - c. Family literacy programs,
 - d. The integration of information technology into educational and related programs, and
 - e. Programs to facilitate the transition of secondary school students to postsecondary education or employment.
5. Provide programs, activities, and procedures for the engagement of parents/guardians and family members of migrant students in an understandable format and language.

Migrant Education Program for Parent/Guardian and Family Member Engagement

Parents/guardians and family members of migrant students will be involved in and regularly consulted about the development, implementation, operation, and evaluation of the migrant program.

Parents/guardians and family members of migrant students will receive instruction regarding their role in improving the academic achievement of their children.

LEGAL REF.:

20 U.S.C. §6318.

20 U.S.C. §6391 et seq., Education of Migratory Children.

34 C.F.R. §200.81 et seq.

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

Adopted: September 16, 2021

6:150 Homebound/Hospital Instruction

Illinois statutes provide that any student handicapped to an extent that he cannot attend regular school, or whose physician anticipates that the student will be absent from school, shall receive special home or hospital instruction, provided by the public school by qualified staff. Eligibility shall be determined by State law and the Illinois State Board of Education rules governing (1) the continuum of placement options for students who have been identified for special education services or (2) the home and hospital instruction provisions for students who have not been identified for special education services. Appropriate educational services will begin no later than five school days after receiving a written statement from: (1) a physician licensed to practice medicine in all of its branches, (2) a licensed physician assistant, or (3) a licensed advanced practice registered nurse. To qualify for the State Home and Hospital Tutoring Program, a doctor must certify in writing that the student will be unable to attend. When the reason for the prolonged absence is psychologically or behaviorally based, a staffing is needed in addition to the certification by a doctor.

For these purposes, the term doctor includes physician assistant and advanced practice registered nurse.

The Board of Education has made an exception and will underwrite the cost of tutoring students who have been injured in athletic school events, even though the extent of the injury will not keep the student from school for the full two-week duration. Upon the recommendation of the counselors, and/or coaches, the administration will make the decision as to the practicality of providing a special tutor. The administration has the responsibility for executing state reports, prior to the start of tutoring and at its completion, for those injuries wherein the student will be absent more than two weeks.

Tutoring shall consist of no less than five (5) clock hours per week. It is preferred that this be one hour in the home per evening. However, students may be tutored for less than five (5) hours per week with a written statement from a licensed medical practitioner stating the reasons for the curtailed program. Hospitalized students will receive tutoring in the hospital. Tutoring will not take place during the days Leyden is on vacation unless approved by the administrator responsible for curriculum and instruction prior to the day in question.

All request forms for homebound tutoring originate in the Student Services' office where a copy is kept. The original goes to the building Assistant Principal, then is forwarded to the LASEC office with a copy to the administrator responsible for curriculum and instruction and the originator.

Implementation of this policy shall be contingent upon the availability of qualified tutors.

LEGAL REF.:

105 ILCS 5/10-19.05(e), 5/10-22.6a, 5/14-13.01, and 5/18-4.5.

23 Ill.Admin.Code §§1.520, 1.610, and 226.300.

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

Adopted: January 16, 2020

6:160 English Learners

The District offers opportunities for resident English Learners to achieve at high levels in academic subjects and to meet the same challenging State academic standards that all children are expected to meet. The Superintendent or designee shall develop and maintain a program for English Learners that will:

1. Assist all English Learners to achieve English proficiency, facilitate effective communication in English, and encourage their full participation in school activities and programs as well as promote participation by the parents/guardians of English Learners.
2. Appropriately identify students with limited English language proficiency.
3. Comply with State law regarding the Transitional Bilingual Educational Program (TBE) or Transitional Program of Instruction (TPI), whichever is applicable.
4. Comply with any applicable State and federal requirements for the receipt of grant money for English Learners and programs to serve them.
5. Determine the appropriate instructional program and environment for English Learners.
6. Annually assess the English proficiency of English Learners and monitor their progress in order to determine their readiness for a mainstream classroom environment.
7. Include English Learners, to the extent required by State and federal law, in the District's student assessment program to measure their achievement in reading/language arts and mathematics.
8. Provide information to the parents/guardians of English Learners about: (1) the reasons for their child's identification, (2) their child's level of English proficiency, (3) the method of instruction to be used, (4) how the program will meet their child's needs, (5) how the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation, (6) specific exit requirements of the program, (7) how the program will meet their child's individualized education program, if applicable, and (8) information on parent/guardian rights. Parents/guardians will be regularly apprised of their child's progress and involvement will be encouraged.

Parent Involvement

Parents/guardians of English Learners will be informed how they can: (1) be involved in the education of their children; (2) be active participants in assisting their children to attain English proficiency, achieve at high levels within a well-rounded education, and meet the challenging State academic standards expected of all students; and (3) participate and serve on the District's Transitional Bilingual Education Programs Parent Advisory Committee.

LEGAL REF.:

20 U.S.C. §§6312, 6314, 6315, and 6318.

20 U.S.C. §6801 et seq.

34 C.F.R. Part 200.

105 ILCS 5/14C-1 et seq.

23 Ill.Admin.Code Part 228.

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

Adopted: September 16, 2021

6:170 Title I Programs

The administrator responsible for curriculum and instruction or designee shall pursue funding under Title I, Improving the Academic Achievement of the Disadvantaged, of the Elementary and Secondary Education Act, to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged or deprived children.

All District schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable. Teachers, administrators, and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools.

Title I Parent and Family Engagement

The District maintains programs, activities, and procedures for the engagement of parents/guardians and families of students receiving services, or enrolled in programs, under Title I. These programs, activities, and procedures are described in District-level and School-level compacts.

District-Level Parent and Family Engagement Compact

The Superintendent or designee shall develop a *District-Level Parent and Family Engagement Compact* according to Title I requirements. The *District-Level Parent and Family Engagement Compact* shall contain: (1) the District's expectations for parent and family engagement, (2) specific strategies for effective parent and family engagement activities to improve student academic achievement and school performance, and (3) other provisions as required by federal law. The Superintendent or designee shall ensure that the *Compact* is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

School-Level Parent and Family Engagement Compact

Each Building Principal or designee shall develop a *School-Level Parent and Family Engagement Compact* according to Title I requirements. This *School-Level Parent and Family Engagement Compact* shall contain: (1) a process for continually involving parents/guardians in its development and implementation, (2) how parents/guardians, the entire school staff, and students share the responsibility for improved student academic achievement, (3) the means by which the school and parents/guardians build and develop a partnership to help children achieve the State's high standards, and (4) other provisions as required by federal law. Each Building Principal or designee shall ensure that the *Compact* is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

Incorporated

by Reference: 6:170-AP1, E1 (District-Level Parent and Family Engagement Compact) and 6:170-AP1, E2 (School-Level Parent and Family Engagement Compact)

LEGAL REF.:

Title I of the Elementary and Secondary Education Act, 20 U.S.C. § 6301-6514.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 5:190 (Teacher Qualifications), 5:280 (Duties and Qualifications), 6:15 (School Accountability), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students), 8:95 (Parental Involvement)

Adopted: September 16, 2021

6:170-E1 Exhibit - Parental Involvement Policy

The District shall maintain programs, activities and procedures for the involvement of parents/guardians of students receiving services, or enrolled in programs, under Title I of the Elementary and Secondary Education Act.

Development of District-Level Parent Involvement initiatives

The administrator responsible for curriculum and instruction shall develop initiatives to foster the ongoing involvement of parents/guardians in the planning, review, and improvement of programs under Title I, including the planning, review and improvement of this parental involvement policy. These initiatives shall include methods by which parents can support the curriculum/instruction provided by the school district in order to help students meet the State's academic achievement standards. The administrator responsible for curriculum and instruction or his/her designee shall develop procedures for the development of these initiatives.

Development of School-Level Parent Involvement Initiatives

Each building Principal or his/her designee shall develop a School-Level written Parental Involvement Policy in accordance with Title I requirements. The policy shall be distributed to parents/guardians of students receiving educational services through Title I funding. The policy shall contain:

1. a process for continually involving parents/guardians in the development and implementation of the parental involvement policy;
2. a statement of how parents/guardians, the school staff, and students share the responsibility for improved student achievement;
3. the means by which the school and parents/guardians will build and develop a partnership to help children achieve the State's academic standards; and
4. a statement of the method by which the school policy will be distributed to parents/guardians of students receiving services or enrolled in programs under Title I.

Annual Parent Involvement Meeting

Each building principal or his/her designee shall convene an annual meeting for all parents/guardians of students receiving services, or enrolled in programs, under Title I of the Elementary and Secondary Education Act. At this meeting, parents/guardians shall be informed of their school's participation in the Title I program and their right to be actively involved in the program. Each building principal or his/her designee shall develop procedures to facilitate this annual meeting and guidelines to determine the meetings agenda.

To the greatest extent possible, both the District and the individual schools will provide opportunities for the participation of parents/guardians with limited English proficiency or disabilities in the program and initiatives developed under this policy.

DATED:October 12, 2017

6:170-E2 Exhibit - Annual Parent Involvement Meeting

Each building principal, or his/her designee shall convene an annual meeting, at a convenient time, to inform parents/guardians of their school's participation under Title I, the programs offered through Title I, and their opportunity to be involved in the planning, review and improvement of such programs.

To facilitate this meeting, the principal or his/her designee shall:

1. Provide notice to all parents/guardians of participating children of the annual meeting, written in the language that parents understand; and
2. Provide child care so that all parents/guardians who would otherwise be unable to attend may attend.

The meeting's agenda shall include:

1. An explanation of the rights of parents/guardians to be involved in the planning, review and improvement of Title I programs, including the parent involvement program;
2. An overview of the Title I programs in the school;
3. An introduction of the school staff members on the District-Level parent involvement committee;
4. An opportunity for parents/guardians to ask questions and provide input about the programs under Title I and the District and School initiatives to foster parent involvement; and
5. A description of the mechanisms by which the work of the parent involvement committee will be conducted and communicated to the school community.

DATED: June 19, 2008

Leyden CHSD 212

6:190 Illinois High School Association Extracurricular Activities - No Pass/No Play

All Leyden High School students academic eligibility to participate in Illinois High School Association-sponsored extracurricular activities will be determined by the Illinois High School Association (I.H.S.A.), as delineated in the I.H.S.A. guidelines. Such students shall be required to maintain an equivalent grade point average.

Non-Illinois High School Association Extracurricular Activities - No Pass/No Play

This policy sets the academic standards that students must maintain to participate in non-Illinois High School Association extracurricular activities. It parallels the I.H.S.A. eligibility policy.

1. Students shall be doing "D" or better work in at least twenty five (25) credit hours (example: five classes) of high school work per quarter or be earning the equivalent grade point average.
2. Students shall have, unless they are entering high school for the first time, credit on the school records for twenty five (25) credit hours of high school work for the previous quarter. Such work shall have been completed in the quarter for which a grade is granted or in a recognized summer school program which has been approved by the Board of Education and for which graduation credit is received.
3. Work taken in junior college, college, university, or by correspondence may be accepted toward meeting the requirements provided it is granted credit toward graduation from high school by the local Board of Education.
4. Student ineligibility will start as soon as grades are issued or the day after a performance that spans a quarter, whichever is later.
5. Student eligibility will begin as soon as grades are issued.
6. It is the responsibility of each activity sponsor to peruse quarter report cards and determine eligibility.
7. A report of ineligible participants will be filed in the principal's office each quarter.

LEGAL REF.: 105 ILCS 5/10-20.30 and 5/24-24.

CROSS REF.: 4:170 (Safety), 7:10 (Equal Educational Opportunities), 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students), 7:240 (Conduct Code for Participants in Athletics), 7:300 (Extracurricular Athletics), 7:330 (Student Use of Buildings - Equal Access); 8:20 (Community Use of School Facilities)

ADOPTED: August 15, 2013

Leyden CHSD 212

6:210 Instructional Materials

All District classrooms and learning centers should be equipped with a wide assortment of instructional materials, including textbooks, workbooks, audio-visual materials, and electronic materials. These materials should provide quality learning experiences for students and:

1. Enrich and support the curriculum;
2. Stimulate growth in knowledge, literary appreciation, aesthetic values, and ethical standards;
3. Provide background information to enable students to make informed judgments and promote critical reading and thinking;
4. Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society; and
5. Contribute to a sense of the worth of all people regardless of sex, race, religion, nationality, ethnic origin, sexual orientation, disability, or any other differences that may exist.

Teachers are encouraged to use age-appropriate supplemental material only when it will enhance, or otherwise illustrate, the subjects being taught. No R-rated movie shall be shown to students unless prior approval is received from the Principal or designee, along with written parental permission, and no movie rated NC-17 (no one 17 and under admitted) shall be shown under any circumstances. The Superintendent or designee shall give parents/guardians an opportunity to request that their child not participate in a class showing a movie, television program, or other media with an R or equivalent rating.

Instructional Materials Selection and Adoption

The administrator responsible for curriculum and instruction shall recommend to the Board for consideration and adoption all textbooks and instructional materials and shall include the following information: (1) title, publisher, copyright dates, number of copies desired, and cost; (2) any texts being replaced; and (3) rationale for recommendation. The School Code governs the adoption and purchase of textbooks and instructional materials.

LEGAL REF.:

105 ILCS 5/10-20 and 5/28-19.1.

CROSS REF.: 6:30 (Organization of Instruction), 6:40 (Curriculum Development), 6:170 (Title I Programs), 6:235 (Use of Technology), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 8:110 (Public Suggestions and Complaints)

Adopted: May 18, 2023

6:235 Use of Technology

Section 1: Purpose

Leyden High School District 212 provides technology to improve the education of District students. The Superintendent or designee may authorize staff, students, and other individuals to use or otherwise access District Technology, as defined below, for professional, educational, or other uses that further the District's interests. This policy and related administrative procedures outline the responsibilities, requirements, and restrictions that govern use of and access to District Technology.

Section 2: Definitions

For purposes of this policy and any related administrative procedure, the following definitions shall apply:

"District Technology" - District owned, operated, or provided computers, electronic devices, systems, software, and network, including but not limited to servers, desktop and laptop computers, mobile phones, smartphone devices, IP telephony devices, devices that provide internet or network connectivity, e-mail and messaging systems and accounts, web pages published on the District's web servers or under its domain, and any other personal communications devices or software that run on any of the above.

"Authorized User" - Staff, students, and other individuals who the Superintendent or designee has explicitly authorized to use or access District Technology for professional, educational, and other uses that further the District's interests. The Superintendent or designee may require a user (and his/her parents, if the user is a student) to sign and return an acknowledgement form acknowledging the duty to comply with all District policies and procedures as well as State and federal laws and regulations before becoming an Authorized User.

Section 3: Applicability

By using or accessing District Technology, an individual acknowledges and is subject to this policy and related administrative procedures. A user need not sign and return an acknowledgement form to be subject to this policy and related procedures.

Section 4: Acceptable Use

Only Authorized Users may use or access District Technology. Authorized Users are expected to use or access District Technology for professional, educational, or other uses that further the District's interests. Authorized Users are expected to maintain the highest standards of ethical behavior and to assume personal responsibility for their use. Personal use during school hours must be minimal and must not interfere with the purposes of this policy or the District's interests.

In addition to complying with this policy and its administrative procedures, Authorized Users must comply with State and federal laws and regulations and all other District policies and procedures.

Section 5: Limited Rights of Use

Use of District Technology is a privilege, not a right. District Technology is part of the curriculum and is not a limited public forum.

The Superintendent or designee may, when necessary in his or her sole discretion, act to protect and ensure the operability, integrity, security, and reliability of District Technology, which may require denying users access in whole or in part.

Materials created by staff members in or related to the performance of their employment duties, including materials created on District Technology, are the property of the District. The District retains

the right to review, edit, and/or delete any material posted on the District's web servers or web pages or on behalf of the District on other web servers or web pages at any time.

No Expectation of Privacy - Users have no expectation of confidentiality or privacy with respect to any use of District Technology, regardless of whether that use is for District-related or personal purposes, other than as specifically provided by law. The District may, without prior notice or consent, log, supervise, access, view, monitor, and record use of and access to District Technology (including files, communications, and any other materials that are created, received, or accessed using District Technology), at any time and for any reason related to the operation of the District. All communications, files, and other materials are subject to release under the Illinois Freedom of Information Act (FOIA), if required by the District's FOIA officer. By using or accessing District Technology, users agree to such access, monitoring, and/or recording of their use.

Section 6: Internet Safety and Protection

The District installs and operates filtering software on District Technology to limit users' Internet access to obscene, pornographic, harmful to children, or otherwise inappropriate material as required by the Children's Internet Protection Act. The District does not and can not guarantee the efficacy of such software. It may block access to legitimate materials, and may fail to successfully block access to all inappropriate material. The District's use of such software does not absolve users of the responsibility not to access inappropriate materials or to otherwise abide by State and federal laws and regulations and District policies and administrative procedures.

Students will be educated about appropriate online behavior, including but not limited to: 1) interacting with other individuals on social networking websites and in chat rooms, and 2) cyberbullying awareness and response.

Section 7: Responsibility For Use and/or Misuse

No Warranties - The District is not responsible for any information that may be lost, damaged, or temporarily unavailable during use of or access to District Technology. The District is not responsible for any material or services accessed and/or transmitted using District Technology, including the Internet and e-mail. The District specifically denies any liability or responsibility for transmissions or other communications made by any user of District Technology.

User Responsibility - Each Authorized User must maintain the confidentiality of his/her username(s) and password(s) provided to access District Technology and is responsible for all actions taken under those username(s) and password(s). Each Authorized User is responsible for any loss, damage, charges, or other fees resulting from use of the District Technology unless those charges are authorized by the Superintendent or designee prior to being incurred.

By using District Technology, all users agree to indemnify the District to the extent allowed by law for any losses, costs, unauthorized charges, or damages, including reasonable attorneys fees, incurred by the District relating to or arising out of the violation of this policy or its administrative procedures, other District policies or procedures, or State or federal law.

Section 8: Enforcement

If the Superintendent or designee determines that an Authorized User has violated this policy or related administrative procedures, any other relevant District policy or procedure, or State or federal law, he/she may revoke or suspend the Authorized User's access rights. All users, whether authorized or unauthorized, may also be subject to criminal and/or civil liability to the extent authorized by law, as well as disciplinary action up to and including suspension and dismissal (staff) or expulsion (students).

Section 9: Administrative Procedures

The Superintendent shall establish administrative procedures that implement this policy, and shall take any other action appropriate to implement this policy, including ensuring that such administrative procedures and related exhibits:

- Ensure staff supervision of student access to online electronic networks,
- Restrict student access to inappropriate matter as well as restricting access to harmful materials.
- Ensure student and staff privacy, safety, and security when using electronic communications,
- Restrict unauthorized access, including "hacking" and other unlawful activities, and
- Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as names and addresses.

LEGAL REF.:

20 U.S.C. §7131, Elementary and Secondary Education Act.

47 U.S.C. §254(h) and (l), Children's Internet Protection Act.

47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.

115 ILCS 5/14(c-5), Ill. Educational Labor Relations Act.

720 ILCS 5/26.5.

CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:40 (Curriculum Development), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:310 (Restrictions on Publications; High Schools), 7:315 (Restrictions on Publications; High Schools), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

ADOPTED: June 19, 2008

REVISED: May 12, 2012; September 13, 2012; September 16, 2021

Leyden CHSD 212

6:240 Field Trips

General Philosophy

The Board of Education considers school sponsored student group trips as part of the educational program. Generally, trips are sanctioned if they have a specific educational value and are designed to enhance and enrich the educational program. The Board recognizes there is much to be gained by expanding the walls of the school buildings and opening the community and the world around us as an environment for optimum learning.

Carefully planned student educational trips, which operate in conjunction with and help to enhance the regular instructional program, are encouraged. The district's Code of Conduct is in effect for all students while attending field trips. Guidelines and procedures are put in place for staff and students to ensure Leyden students receive an enriching and safe experience.

Routine Field Trips

Field trips within the community, and the metropolitan area, and to places near enough that the trip can be made in one day, are classified as routine field trips. It is the duty of the Administration to establish procedures for evaluating such trips, to determine if they are consistent with educational goals, budgetary allowances, safety of students, and the overall operation of the school. Such trips will not be more than one day in length and cannot be expedited unless approved by the principal or the assistant principal.

Extended Education Trips

Extended field trips are categorized as follows:

Category #1: Trips of several days duration when school is not in session. If transportation is within 400 miles and provided with Leyden's vehicles there will not be a transportation charge to the students. Long distance trips such as Washington, DC, will involve commercial transportation, with the cost possibly included in the student's expense.

Category #2: Field trips taken while school is in session involving more than one day's duration.

It is the responsibility of the Administration to set up procedures to determine the value of extended field trips. All such trips must be approved by the principal or the assistant principal, and those in Category #1 must also be approved by the Superintendent or designee. The Superintendent will present for Board approval all extended trips for which there is no precedent or which are considered controversial.

International Travel

The Board of Education recognizes the value of international travel and supports these efforts for their educational and cultural benefits. When planning international travel, sponsors will regularly check with the US State Department for travel advisories, register the trip with the United State Embassy in the foreign country, assign an appropriate student/chaperone ratio, attend to the necessary medical needs of students attending, and ensure insurance and liability coverage with the business office.

Guide for Field Trips

The following criteria shall guide the decision on extended field trips:

1. The educational value of the tour, as related to the goals and objectives of the Leyden Community High School District 212.
2. The safety of students participating in the tour.

3. The degree of infringement upon other school time and instructional programs.
4. Competency of sponsors and adequacy of planning.
5. Cost to the students.

Privately arranged trips, including those led by District staff members, shall not be represented as or construed to be sponsored by the District or school. The District does not provide liability protection for privately arranged trips and is not responsible for any damages arising from them.

CROSS REF.:4:140 (Waiver of Student Fees), 6:10 (Educational Philosophy and Objectives), 7:10 (Equal Educational Opportunities), 7:270 (Administering Medicines to Students)

Adopted: September 13, 2018

Leyden CHSD 212

6:250 Community Volunteers

The Board of Education encourages the use of community volunteers to: (1) increase students' educational attainment; (2) provide enrichment experiences for students; (3) increase the effective utilization of staff time and skills; (4) give more individual attention to students; and (5) promote greater community involvement.

Community volunteers may be used:

1. For non-teaching duties not requiring instructional judgment or evaluation of students;
2. For supervising school-sponsored extracurricular activities;
3. To assist with academic programs under a licensed teacher's immediate supervision;
4. To assist in times of violence or other traumatic incidents within the District by providing crisis intervention services to lessen the effects of emotional trauma on staff, students, and the community, provided the volunteer meets the qualifications established by the Ill. School Crisis Assistance Team Steering Committee;
5. As a guest lecturer or resource person under a licensed teacher's direction and with the administration's approval; or
6. As supervisors, chaperones, or sponsors for non-academic school activities.

The Superintendent shall follow Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, to establish procedures for securing and screening resource persons and volunteers. A person who is a *sex offender*, as defined by the Sex Offender Registration Act, or a *violent offender against youth*, as defined in the Murderer and Violent Offender Against Youth Registration Act, or has otherwise been convicted of a felony, is prohibited from being a volunteer. All volunteer coaches must comply with the requirement to report hazing in policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.:

105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.

720 ILCS 5/12C-50.1, Failure to Report Hazing.

730 ILCS 150/1 et seq., Sex Offender Registration Act.

730 ILCS 152/101 et seq., Sex Offender Community Notification Law.

730 ILCS 154/75 et seq., Murderer and Violent Offender Against Youth Community Notification Law.

730 ILCS 154/101 et seq., Murderer and Violent Offender Against Youth Registration Act.

CROSS REF.: 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:280 (Duties and Qualifications), 8:30 (Visitors to and Conduct on School Property), 8:95 (Parental Involvement)

Adopted: January 19, 2023

6:260 Complaints About Curriculum, Instructional Materials, and Programs

Parents/guardians have the right to inspect any instructional material used as part of their child's educational curriculum pursuant to Board of Education policy 7:15, *Student and Family Privacy Rights*.

Parents/guardians, employees, and community members who believe that curriculum, instructional materials, or programs violate rights guaranteed by any law or Board policy may file a complaint using Board policy 2:260, *Uniform Grievance Procedure*.

Parents/guardians, employees, and community members with other suggestions or complaints about curriculum, instructional materials, or programs should complete a *Curriculum Objection Form*. A parent/guardian may request that his/her child be exempt from using a particular instructional material or program by completing a *Curriculum Objection Form*. The Superintendent or designee shall establish criteria for the review of objections and inform the parent/guardian, employee, or community member, as applicable, of the District's decision.

LEGAL REF.:

20 U.S.C. §1232h, Protection of Pupil Rights Amendment.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 7:15 (Student and Family Privacy Rights), 8:110 (Public Suggestions and Concerns)

Adopted: January 19, 2023

Leyden CHSD 212

6:260-E Exhibit - Curriculum Objection

Please complete this form and return it to the Building Principal who will submit it to the District Complaint Manager. Please print.

Subject area	Classroom teacher

Please state, as precisely as possible, the specific curriculum area, instructional material, or program to which the user objects (*include name, title, author, and any other identifying information*).

How did you become aware of the curriculum area, instructional material, or program?

<input type="checkbox"/> by classroom observation	<input type="checkbox"/> by review
<input type="checkbox"/> by word-of-mouth	<input type="checkbox"/> other

To what in the curriculum area, instructional material, or program do you object? Be specific.

Do you want your child excluded from participation? Yes No

In place of participation in the curriculum area, what course of study would you recommend for your child		

Parent/Guardian name (<i>please print</i>)		Telephone
Parent/Guardian represents:	<input type="checkbox"/> Student	<input type="checkbox"/> Parent/guardian of s
	<input type="checkbox"/> Other	
Parent/Guardian address		
Signature of Parent/Guardian		Date

DATED: December 14, 2017

Leyden CHSD 212

6:270 Guidance and Counseling Programs

The School District provides a guidance and counseling program for students. The Superintendent or designee shall direct the District's guidance and counseling program. School counseling services, as described by State law, may be performed by a qualified guidance specialist or any certificated staff member.

The guidance program will assist students to identify career options consistent with their abilities, interests, and personal values. Students shall be encouraged to seek the help of counselors to develop specific curriculum goals that conform to the student's career objectives. High school juniors and seniors will have the opportunity to receive career-oriented information. Representatives from colleges and universities, occupational training institutions and career-oriented recruiters, including the military, may be given access to the school campus in order to provide students and parents/guardians with information.

LEGAL REF.:

105 ILCS 5/10-22.24a and 5/10-22.24b.

23 Ill.Admin.Code §1.420(q).

CROSS REF.: 6:50 (School Wellness), 6:65 (Student Social and Emotional Development), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention)

DATED : January 19, 2023

Leyden CHSD 212

6:280 Grading and Promotion

The Superintendent shall establish a system of grading and reporting academic achievement to students and their parents/guardians. The system shall also determine when promotion and graduation requirements are met. The decision to promote a student to the next grade level shall be based on successful completion of the curriculum, attendance, and performance on the Illinois (*state assessment*) and/or other assessments. A student shall not be promoted based upon age or any other social reason not related to academic performance. The administration shall determine remedial assistance for a student who is not promoted.

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

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

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

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

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

ADOPTED:December 14, 2017

Leyden CHSD 212

6:300 Graduation Requirements

Unless otherwise exempted, each student must successfully accomplish the following in order to graduate from high school:

1. Students must pass a minimum of twenty-one units of credit for graduation from the District.
2. English: 4 units.
3. Mathematics: 3 units.
4. Reading: 2 units or demonstrated proficiency. Freshmen and Sophomores who fail any semester of reading must repeat the course during the summer term. Transfer students are exempt from the requirement for semesters not enrolled in the District.
5. Science: 2 units (including 1 unit of a Biology course, and 1 unit of a Physical Science or Chemistry Honors).
6. Social Studies: 2 units (including 1 unit of Global Studies, and 1 unit of United States History).
7. Physical Education: 4 units (see Physical Education course offerings).
 - a. Health Education: $\frac{1}{2}$ unit. Students will pass one quarter unit as a freshman and one quarter unit as a sophomore.
 - b. Exemptions: Students can be exempted from Physical Education if they: participate in varsity athletics during their junior or senior year; are in need of required credit to graduate; need an additional course for admission to a particular college; are medically excused by a physician. (See counselor for details).
8. Fine and Applied Arts: 1 unit. Courses taken in the Art, Drama, Music, Modern Languages, Business Education, Home Economics or Industrial Technology Departments satisfy this requirement.
9. Computer Literacy: $\frac{1}{2}$ unit. Freshman students starting with Class of 2012 and beyond will be required to pass $\frac{1}{2}$ unit or pass proficiency exam. Previous completion of Keyboarding satisfies this requirement for Class of 2009 through 2011.
10. Consumer Education: $\frac{1}{2}$ unit. All students must successfully complete a semester course designated to meet state requirements, or pass the state proficiency test. Students must take Consumer Ed, online Consumer Ed, or Economics Honors as a Junior or Senior.
11. Federal and State Constitution Exams: Each student must pass an examination on the Federal and State Constitutions, Declaration of Independence, and the proper use and display of the American Flag.

Students must participate in State assessments that are required for graduation by State Law.

Filing one of the following: (1) a Free Application for Federal Student Aid (FAFSA) with the U.S. Dept. of Education, (2) an application for State financial aid, or (3) an Ill. State Board of Education (ISBE) waiver form indicating that the student understands what these aid opportunities are and has chosen not to file an application. If the student is not at least 18 years of age or legally emancipated, the student's parent/guardian must file one of these documents on the student's behalf. A student is exempt from this requirement if: (1) the student is unable to file a financial aid application or an ISBE waiver due to extenuating circumstances, (2) the Building Principal attests the District made a good faith effort to assist the student or the student's parent/guardian with filing a financial aid application or an ISBE waiver form, and (3) the student has met all other graduation requirements.

The Assistant Superintendent for Curriculum and Instruction or designee is responsible for:

1. Maintaining a description of all course offerings that comply with the above graduation requirements.
2. Notifying students and their parents/guardians of graduation requirements.

3. Complying with State law requirements for students who transfer during their senior year because their parent(s)/guardian(s) are on active military duty, this includes making reasonable adjustments to ensure graduation if possible, or efforts to ensure that the original (transferor) school district issues the student a diploma.
4. Taking all other actions needed or necessary to implement this policy.

Early Graduation

The Board of Education believes that students should be allowed to graduate from Leyden in less than four (4) years, provided they have met all of the minimum graduation requirements as established by the Board of Education upon the recommendations of the Administration, the North Central Association, and the Laws of Illinois. Students may take additional courses during the normal school year and enroll in the summer schools to make it possible to exercise the early graduation option.

In implementing this policy, the Administration shall insure that students requesting early graduation have been adequately counseled on both the advantages and disadvantages of early graduation, and the parent has been involved in the decision.

Certificate of Completion

A student with a disability who has an Individualized Education Program prescribing special education, transition planning, transition services, or related services beyond the student's four years of high school, qualifies for a certificate of completion after the student has completed four years of high school. The student may participate in the graduation ceremony of his or her high school graduation class. The Superintendent or designee shall provide timely written notice of this requirement to children with disabilities and their parents/guardians.

Service Member Diploma

The District will award a diploma to a service member who was killed in action while performing active military duty with the U.S. Armed Forces or an honorably discharged veteran of World War II, the Korean Conflict, or the Vietnam Conflict, provided that he or she (1) resided within an area currently within the District at the time he or she left high school, (2) left high school before graduating in order to serve in the U.S. Armed Forces, and (3) has not received a high school diploma.

LEGAL REF.:

105 ILCS 5/2-3.64a-5, 5/22-27, 5/22-87, 5/27-3, 5/27-22, and 5/27-22.10.

105 ILCS 70/, Educational Opportunity for Military Children Act.

23 Ill.Admin.Code §1.440.

CROSS REF.: 6:30 (Organization of Instruction), 6:310 (Credit for Alternative Courses and Programs, and Course Substitutions), 6:315 (High School Credit for Students in Grade 7 or 8), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

Adopted: January 20, 2022

6:310 High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students

Credit for Non-District Experiences

A student may receive high school credit for successfully completing any of the listed courses or experiences even when it is not offered in or sponsored by the District:

1. Distance learning course, including a correspondence, virtual, or online course
2. Courses in an accredited foreign exchange program
3. Summer school or community college courses
4. College or high school courses offering dual credit at both the college and high school level
5. Foreign language courses taken in an ethnic school program approved by the Illinois State Board of Education
6. Work-related training at manufacturing facilities or agencies in a Tech Prep Program
7. Credit earned in a Vocational Academy

The student must seek approval from the Superintendent or designee to receive graduation credit for any non-District course or experience. The Superintendent or designee shall determine the amount of credit and whether a proficiency examination is required before the credit is awarded. Any distance learning course, including correspondence, virtual or online course, must at a minimum be given by an institution accredited by NCA – AdvanceED or its equivalent. However, as approval is not guaranteed, students should seek conditional approval of the experience before participating in a non-District course or experience.

The student assumes responsibility for any fee, tuition, supply, or other expense. The student seeking credit is responsible for (1) providing documents or transcripts that demonstrate successful completion of the experience, and (2) taking a proficiency examination, if requested. The Superintendent or designee shall determine which, if any, non-District courses or experiences, will count toward a student's grade point average, class rank, and eligibility for athletic and extracurricular activities. When applicable, the Building Principal or designee shall, prior to the first day of class, inform individual high school students enrolled in a mixed enrollment dual credit course that includes students who have and have not met the community college's criteria for dual credit coursework of whether or not they are eligible to earn college credit for the course. This section does not govern the transfer of credits for students transferring into the District.

A maximum of three units of credit from these programs may be counted toward meeting graduation requirements except for special circumstances as approved by the Assistant Superintendent for Curriculum and Instruction. Credits earned through approved correspondence, virtual, online, and offsite courses may not be used towards early graduation unless special approval is given by the Assistant Superintendent for Curriculum and Instruction.

Substitutions for Required Courses

Registered Apprenticeship Program. The Superintendent or designee will ensure that the District complies with State law requirements for registered apprenticeship programs. The opportunities and requirements for registered apprenticeship programs contained in this policy will be posted on the District's website, and parents/guardians and students will also be notified of such opportunities in the appropriate school handbook(s).

A student in grades 9-12 who is 16 years or older may satisfy one or more high school courses (including physical education) or graduation requirements by successfully completing a registered apprenticeship program if:

1. The registered apprenticeship program meets all criteria contained in State law;
2. The registered apprenticeship program is listed by the District, or the student identifies a registered (but not listed) apprenticeship program with a business or organization if one is not offered in the District;
3. The student enrolled in a registered apprenticeship program has the opportunity to earn post-secondary credit toward a certificate or degrees, as applicable;
4. The student's parent/guardian requests and approves the substitution(s) in writing on forms provided by the District and on its website;
5. The Building Principal approves the substitution(s); and
6. All non-academic requirements mandated by the School Code for high school graduation that would otherwise prohibit or prevent the student from participating in the registered apprenticeship program are waived.

Advanced placement computer science. The advanced placement computer science course is equivalent to a high school mathematics course. A student in grades 9-12 may substitute the advanced placement computer science course for one year of mathematics, in accordance with Section 27-22 of the School Code. The transcript of a student who completes the advanced placement computer science course will state that it qualifies as a mathematics-based, quantitative course.

Substitutions for physical education. A student in grades 9-12, unless otherwise stated, may submit a written request to the Building Principal to be excused from physical education courses for the reasons stated below. The Superintendent or designee shall maintain records showing that the criteria set forth in this policy were applied to the student's individual circumstances, as appropriate.

1. Ongoing participation in an interscholastic or extracurricular athletic program (organized school-sponsored or school-sanctioned activities for students that are not part of the curriculum, not graded, not for credit, generally take place outside of school instructional hours, and under the direction of a coach, athletic director, or band leader);
2. Enrollment in academic classes that are required for admission to an institution of higher learning (student must be in the 11th or 12th grade); or
3. Enrollment in academic classes that are required for graduation from high school, provided that failure to take such classes will result in the student being unable to graduate (student must be in the 11th or 12th grade).

A student who is eligible for special education may be excused from physical education courses pursuant to 7:260, *Exemption from Physical Education*.

Re-Entering Students

Individuals younger than 21 years of age may re-enter high school to acquire a high school diploma or an equivalency certificate, subject to the limitations in Board policy 7:50, *School Admissions and Student Transfers To and From Non-District Schools*. Re-entering students may obtain credit through the successful completion of the following (not all of these may be available at any one time):

1. District courses
2. Non-District experiences described in this policy
3. Classes in a program established under Section 10-22.20 of the School Code, in accordance with the standards established by the Illinois Community College Board
4. Proficiency testing, correspondence courses, life experiences, and other nonformal educational endeavors
5. Military service, provided the individual making the request has a recommendation from the American Council on Education

The provisions in the section **Credit for Non-District Experiences**, above, apply to the receipt of credit for any non-District course.

LEGAL REF.:

105 ILCS 5/2-3.44, 5/2-3.108, 5/2-3.115, 5/2-3.142, 5/2-3.175, 5/10-22.43a, 5/10-20.62, 5/27-6, 5/27-22.3, and 5/27-22.05.

110 ILCS 27/, Dual Credit Quality Act.

23 Ill.Admin.Code §§1.425(e), 1.440(f), 1.470(c), and Part 255.

CROSS REF.: 6:180 (Extended Instructional Programs), 6:300 (Graduation Requirements), 6:320 (High School Credit for Proficiency), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:260 (Exemption from Physical Education)

Adopted: January 19, 2023

Leyden CHSD 212

6:312 Exemptions for Physical Education and Course Substitution

A student in grades 11 or 12, unless otherwise stated, may submit a written request to the administrator responsible for curriculum and instruction or designee to be excused from physical education courses. All students excused from physical education classes must be provided with a schedule, which has a minimum of six (6) courses.

A student in grades 9-12 may be excused from physical education courses if:

1. The student is participating in interscholastic athletics as certified by a coach in the sport in which the student is participating.
2. The student provides evidence from a college or university catalog verifying that a specific course not included in existing state or local minimum graduation standards is required for admission to a college or university. The counselor will verify that the student's present and proposed schedule will not permit completion of both physical education and the course needed for admission to a college or university.
3. Students who lack sufficient course credit in one or more courses required by state statute or the school board for graduation are eligible to apply for an exemption. Students who have failed required courses, transferred into the district with a deficiency in credits, or who lack credits due to other causes will be eligible to apply for an exemption.

Substitutions for Physical Education

A student in grades 9 - 12 who is eligible for special education may be excused from physical education courses if:

1. The student's individualized education program team determines that the student must utilize the time set aside for physical education to receive special education support and services
2. The agreement or determination must be made a part of the individualized education program. A student requiring adapted physical education must receive that service in accordance with the student's individualized education program.

LEGAL REF.:105 ILCS 5/27-6 and 5/27-122.05.

23 Ill.Admin.Code §§1.440(p), 1.445.

CROSS REF.:7:260 (Nonparticipation in Physical Activity)

ADOPTED:December 14, 2017

6:315 High School Credit for Students in Grade 7 or 8

The Superintendent or designee may investigate, coordinate, and implement a program for students in grades 7 and 8 to enroll in a course required for a high school diploma.

If a program is available, students in grades 7 and 8 may enroll in a course required for a high school diploma when the course is offered by the high school that the elementary student would attend and either of the following is satisfied: (1) the student participates in the course at the high school and the elementary student's enrollment in the course would not prevent a high school student from being able to enroll, or (2) the student participates in the course where the student attends school as long as the course is taught by a teacher who holds a professional educator license with an endorsement for the grade level and content area of the course.

A student who successfully completes a course required for a high school diploma while in grades 7 and 8 shall receive academic credit for the course. That academic credit shall satisfy the requirements of Section 27-22 of the School Code for purposes of receiving a high school diploma, unless evidence about the course's rigor and content show that the course did not address the relevant Illinois learning standard at the level appropriate for the high school grade during which the course is usually taken. The student's grade in the course shall also be included in the student's grade point average.

LEGAL REF.:

105 ILCS 5/10-22.43 and 5/27-22.10.

23 Ill.Admin.Code §1.460.

CROSS REF.: 6:300 (Graduation Requirements), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:320 (High School Credit for Proficiency)

Adopted: January 21, 2021

Leyden CHSD 212

6:320 High School Credit for Proficiency

Proficiency Credits

Subject to the limitations in this policy and State law, the Superintendent or designee is authorized to establish and approve a program for granting credit for proficiency with the goal of allowing a student who would not benefit from a course because the student is proficient in the subject area to receive credit without having to take the course. A student who demonstrates competency under this program will receive course credit for the applicable course and be excused from any requirement to take the course as a graduation prerequisite. No letter grade will be given for purposes of the student's cumulative grade point average. The Superintendent or designee shall notify students of the availability of and requirements for receiving proficiency credit.

Proficiency credit will be offered in the following subject areas:

Foreign language - A student is eligible to receive one year of foreign language credit if the student has graduated from an accredited elementary school and can demonstrate proficiency, according to this District's academic criteria, in a language other than English. A student who demonstrates proficiency in American Sign Language is deemed proficient in a foreign language and will receive one year of foreign language credit.

Other proficiency testing - Proficiency testing may also be used to determine eligible credit for other subjects whenever students enter from non-graded schools, non-recognized or non-accredited schools, or were in a home-schooling program.

LEGAL REF.:

105 ILCS 5/10-22.43, 5/10-22.43a, 5/27-22, and 5/27-24.3.

23 Ill.Admin.Code Part 680.

CROSS REF.: 6:300 (Graduation Requirements), 6:310 (High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students), 6:315 (High School Credit for Students in Grade 7 or 8)

Adopted: January 21, 2021

Leyden CHSD 212

6:340 Student Testing and Assessment Program

The District student assessment program provides information for determining individual student achievement and instructional needs curriculum and instruction effectiveness, and school performance measured against District student learning objectives and statewide norms.

The Superintendent or designee shall manage the student assessment program that, at a minimum:

1. Administers to students all standardized assessments required by the Ill. State Board of Education (ISBE) and/or any other appropriate assessment methods and instruments, including norm and criterion-referenced achievement tests, aptitude tests, proficiency tests, and teacher-developed tests.
2. Informs students of the timelines and procedures applicable to their participation in every State assessment.
3. Provides each student's parents/guardians with the results or scores of each State assessment. See policy 6:280, *Grading and Promotion*.
4. Utilizes professional testing practices.

Overall student assessment data on tests required by State law will be aggregated by the District and reported, along with other information, on the District's annual report card. All reliable assessments administered by the District and scored by entities outside of the District must be (1) reported to ISBE on its form by the 30th day of each school year, and (2) made publicly available to parents/guardians of students. Board policy 7:340, *Student Records*, and its implementing procedures govern recordkeeping and access issues.

LEGAL REF.:

20 U.S.C. §1232g, Family Educational Rights and Privacy Act.

105 ILCS 10/, Illinois School Student Records Act.

105 ILCS 5/2-3.63, 5/2-3.64a-5, 5/2-3.64a-10, 5/2-3.64a-15, 5/2-3.107, 5/2-3.153, 5/10-17a, 5/22-82, and 5/27-1.

23 Ill. Admin. Code §§1.30(b) and 375.10.

CROSS REF.: 6:15 (School Accountability), 6:280 (Grading and Promotion), 7:340 (Student Records)

Adopted: January 19, 2023

SECTION 7 - STUDENTS

Leyden CHSD 212

7:10 Equal Educational Opportunities

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, status of being homeless, immigration status, order of protection status, or actual or potential marital or parental status, including pregnancy. 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 Board policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using the Uniform Grievance Procedure.

Sex Equity

No student shall, based on sex, sexual orientation, or gender identity 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 the Uniform Grievance Procedure. A student may appeal the Board of Education's resolution of the complaint to the appropriate Intermediate Service Center (pursuant to 105 ILCS 5/3-10 of the School Code) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8 of the School Code).

Administrative Implementation

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

LEGAL REF.:

20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 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, 5/10-20.63, 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), 7:180 (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)

Adopted: January 20, 2022

7:10-E Exhibit - Equal Educational Opportunities Within the School Community

The School District welcomes diversity in its schools. Policy 7:10, *Equal Educational Opportunities* cites the many civil rights laws that guarantee equal education opportunities to all students. In addition, the policies below address the equal educational opportunities, health, safety, and general welfare of students within the District. These policies are not a complete list, and depending on the factual context, another policy not specifically listed may apply:

1. 2:260, *Uniform Grievance Procedure*, contains the process for an individual to seek resolution of a complaint. A student may use this policy to complain about bullying. The District Complaint Manager shall address the complaint promptly and equitably.
2. 6:65, *Student Social and Emotional Development*, requires that social and emotional learning be incorporated into the District's curriculum and other educational programs.
3. 7:10, *Equal Educational Opportunities*, requires that equal educational and extracurricular opportunities be available to all students without regard to, among other protected statuses, sex, sexual orientation, and gender identity.
4. 7:20, *Harassment of Students Prohibited*, prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy including, among other protected statuses, sex, sexual orientation, and gender identity.
5. 7:130, *Student Rights and Responsibilities*, recognizes that all students are entitled to rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.
6. 7:160, *Student Appearance*, prohibits students from dressing or grooming in such a way as to disrupt the educational process, interfere with a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.
7. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the comprehensive structure for the District's bullying prevention program.
8. 7:250, *Student Support Services*, directs the Superintendent to develop protocols for responding to students' social, emotional, or mental health problems that impact learning.
9. 7:330, *Student Use of Buildings - Equal Access*, grants student-initiated groups or clubs the free use of school premises for their meetings, under specified conditions.
10. 7:340, *Student Records*, contains the comprehensive structure for managing school student records, keeping them confidential, and providing access as allowed or required.

DATED : January 19, 2023

Leyden CHSD 212

7:15 Student and Family Privacy Rights

Surveys

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the District's educational objectives as identified in policy 6:10, *Educational Philosophy and Objectives*, or assist students' career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified or who created the survey.

Surveys Created by a Third Party

Before a school official or staff member administers or distributes a survey or evaluation created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey or evaluation, upon their request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a District official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

Surveys Requesting Personal Information

School officials and staff members shall not request, nor disclose, the identity of any student who completes any survey or evaluation (created by any person or entity, including the District) containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian.
2. Mental or psychological problems of the student or the student's family.
3. Behavior or attitudes about sex.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian.
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The student's parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, and/or
2. Refuse to allow their child to participate in the activity described above. The school shall not penalize any student whose parent(s)/guardian(s) exercised this option.

Instructional Material

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child's educational curriculum within a reasonable time of their request.

The term "instructional material" means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Physical Exams or Screenings

No school official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of school attendance. The term “invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

1. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification.
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.).
3. Is otherwise authorized by Board policy.

Prohibition on Selling or Marketing Students’ Personal Information

No school official or staff member shall market or sell personal information concerning students (or otherwise provide that information to others for that purpose). The term “personal information” means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) a telephone number, (4) a Social Security identification number or (5) driver’s license number or State identification card.

Unless otherwise prohibited by law, the above paragraph does not apply: (1) if the student’s parent(s)/guardian(s) have consented; or (2) to the collection, disclosure or, use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for school-related or education-related activities.
6. Student recognition programs.

Under no circumstances may a school official or staff member provide a student’s “personal information” to a business organization or financial institution that issues credit or debit cards.

Notification of Rights and Procedures

The Superintendent or designee shall notify students’ parents/guardians of:

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child out of participation in activities as provided in this policy.
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled.
4. How to request access to any survey or other material described in this policy.

This notification shall be given to parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

Transfer of Rights

The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor.

LEGAL REF.:

20 U.S.C. §1232h, Protection of Pupil Rights Act.

105 ILCS 5/10-20.38.

325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities)

Adopted: July 21, 2022

Leyden CHSD 212

7:20 Harassment of Students 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 identity; 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 property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

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. See policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

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 employee with whom the student is comfortable speaking. A student may choose to report to an employee of the student's same gender.

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.

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.

Nondiscrimination Coordinator:

Dr. Tatiana Bonuma

3400 Rose St., Franklin Park, IL 60131

tbonuma@leyden212.org

847-451-3021

Complaint Managers:

Dr. Dominic Manola

3400 Rose St., Franklin Park, IL 60131

dmanola@leyden212.org

847-451-3023

Mr. Arturo Senteno

1000 N. Wolf Rd., Northlake, IL 60164

asenteno@leyden212.org

847-451-3154

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.
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

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. Any employee 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.

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 designee 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.

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

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.

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

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.

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.

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, 5/10-22.5, 5/10-23.13, 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), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:180 (Preventing Bullying, Intimidation, and Harassment), 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)

Adopted: July 21, 2022

Leyden CHSD 212

7:30 Student Assignment and Intra-District Transfer

Attendance Areas

The School District is divided into school attendance areas. The Superintendent will:

1. Review the boundary lines annually and recommend to the Board of Education any changes or revisions for existing units; or
2. Create new units using a lens that considers preventing segregation and the elimination of separating students in the District's schools because of color, race, or nationality.

The Superintendent or designee shall maintain a map of the District showing current school attendance areas. All records pertaining to the creation, alteration, or revision of attendance units are open to the public. Students living in a given school attendance area will be assigned to that school as their home school. A student's serving school shall be determined based on appropriate program placement. Homeless children shall be assigned according to policy 6:140, *Education of Homeless Children*.

Transfers Within the District

A student's parent(s)/guardian(s) may request the student be transferred to a District school other than the one to which the student was assigned.

As such, both campuses will work collaboratively with the parents/guardians and student. Final approval will be at the discretion of the Superintendent or his/her designee.

The occasional student to be transferred will merit consideration where problems or other educational matters have made it likely that the student will fail, drop out, or suffer psychologically if kept at the school of his residence.

Students who are granted a transfer within the District shall be responsible for their own transportation. The provisions in this section have no applicability to transfers pursuant to the Unsafe School Choice Option covered in Board policy 4:170, *Safety*.

LEGAL REF.:

105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.: 4:170 (Safety), 6:140 (Education of Homeless Children)

Adopted: January 20, 2022

7:40 Nonpublic School Students, Including Parochial and Home-Schooled Students

Part-Time Attendance

The District does not accept nonpublic students for attendance.

Students with a Disability

The District accepts for part-time attendance those children for whom it has been determined that special education services are needed, are enrolled in nonpublic schools, and otherwise qualify for enrollment in the District. Requests must be submitted by the student's parent/guardian. Special educational services shall be provided to such students as soon as possible after identification, evaluation, and placement procedures provided by State law, but no later than the beginning of the next school semester following the completion of such procedures. Transportation for such students shall be provided only if required in the child's individualized educational program on the basis of the child's disabling condition or as the special education program location may require.

Extracurricular Activities, Including Interscholastic Competition

Nonpublic students will not be allowed to participate in extracurricular activities.

Assignment When Enrolling Full-Time in a District School

Grade placement by, and academic credits earned at, a nonpublic school will be accepted if the school has a Certificate of Nonpublic School Recognition from the Illinois State Board of Education, or, if outside Illinois, if the school is accredited by the state agency governing education.

A student who, after receiving instruction in a non-recognized or non-accredited school, enrolls in the District will: (1) be assigned to a grade level according to academic proficiency, and/or (2) have academic credits recognized by the District if the student demonstrates appropriate academic proficiency to the school administration. Any portion of a student's transcript relating to such instruction will not be considered for placement on the honor roll or computation in class rank.

Notwithstanding the above, recognition of grade placement and academic credits awarded by a nonpublic school is at the sole discretion of the District. All school and class assignments will be made according to Board policy 7:30, *Student Assignment and Intra-District Transfer*, as well as administrative procedures implementing this policy.

LEGAL REF.:

105 ILCS 5/10-20.24 and 5/14-6.01.

CROSS REF.: 4:110 (Transportation), 6:170 (Title I Programs), 6:190 (Illinois High School Association Extracurricular Activities-No Pass, No Play), 7:30 (Student Assignment and Intra-District Transfer), 7:300 (Extracurricular Athletics)

Adopted: August 13, 2020

7:50 School Admissions and Student Transfers To and From Non-District Schools

Admission Procedure

All students must register for school each year on the dates and at the place designated by the Superintendent.

Parents/guardians of students enrolling in the District for the first time must present:

1. If a birth certificate is not presented, the Superintendent or designee shall notify in writing the person enrolling the student that within 30 days he or she must provide a certified copy of the student's birth certificate. A student will be enrolled without a birth certificate. When a certified copy of the birth certificate is presented, the school shall promptly make a copy for its records, place the copy in the student's permanent record, and return the certified copy to the person enrolling the child. If a person enrolling a student fails to provide a certified copy of the student's birth certificate, the Building Principal shall immediately notify the local law enforcement agency and shall also notify the person enrolling the student in writing that, unless he or she complies within 10 days, the case shall be referred to the local law enforcement authority for investigation. If compliance is not obtained within that 10-day period, the Principal shall so refer the case. The Principal shall immediately report to the local law enforcement authority any material received pursuant to this paragraph that appears inaccurate or suspicious in form or content.
2. Proof of residence, as required by Board policy 7:60, *Residence*.
3. Proof of disease immunization or detection and the required physical examination, as required by State law and Board policy 7:100, *Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students*.

The individual enrolling a student shall be given the opportunity to voluntarily state whether the student has a parent or guardian who is a member of a branch of the U. S. Armed Forces and who is either deployed to active duty or expects to be deployed to active duty during the school year.

Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required for enrollment. Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

Foster Care Students

The Superintendent will appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Ill. Dept. of Children and Family Services (DCFS) when enrolling in or changing schools. The District's liaison ensures that DCFS' Office of Education and Transition Services receives all written notices and records pertaining to students in the legal custody of DCFS as required by State law.

Student Transfers To and From Non-District Schools

A student may transfer into or out of the District according to State law and procedures developed by the Superintendent. A student seeking to transfer into the District must serve the entire term of any suspension or expulsion, imposed for any reason by any public or private school, in this or any other state, before being admitted into the School District.

Foreign Students

The District accepts foreign exchange students with a J-1 visa and who reside within the District as participants in an exchange program sponsored by organizations screened by administration.

Exchange students on a J-1 visa are not required to pay tuition.

Privately sponsored exchange students on an F-1 visa may be enrolled if an adult resident of the District has temporary guardianship and the student lives in the home of that guardian. Exchange students on an F-1 visa are required to pay tuition at the established District rate. F-1 visa student admission is limited to high schools and attendance may not exceed 12 months.

The Board of Education may limit the number of exchange students admitted in any given year. Exchange students must comply with District immunization requirements. Once admitted, exchange students become subject to all District policies and regulations governing students.

Re-enrollment

Re-enrollment shall be denied to any individual 19 years of age or above who has dropped out of school and who could not earn sufficient credits during the normal school year(s) to graduate before his or her 21st birthday. However, at the Superintendent's or designee's discretion and depending on program availability, the individual may be enrolled in a graduation incentives program established under 105 ILCS 5/26-16 or an alternative learning opportunities program established under 105 ILCS 5/13B-1 (see 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*). Before being denied re-enrollment, the District will offer the individual due process as required in cases of expulsion under policy 7:210, *Expulsion Procedures*. A person denied re-enrollment will be offered counseling and be directed to alternative educational programs, including adult education programs that lead to graduation or receipt of a GED diploma. This section does not apply to students eligible for special education under the Individuals with Disabilities Education Improvement Act or accommodation plans under the Rehabilitation Act, Section 504.

LEGAL REF.:

8 U.S.C. §1101, Illegal Immigrant and Immigrant Responsibility Act of 1996.

20 U.S.C. §1232g, Family Educational Rights and Privacy Act.

20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act.

29 U.S.C. §794, Rehabilitation Act of 1973, Section 504.

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-20.59, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/26-1, 5/26-2, 5/27-8.1.

105 ILCS 10/8.1, Ill. School Student Records Act.

105 ILCS 45/, Education for Homeless Children Act.

105 ILCS 70/, Educational Opportunity for Military Children Act.

325 ILCS 50/, Missing Children Records Act.

325 ILCS 55/, Missing Children Registration Law.

410 ILCS 315/2, Communicable Disease Prevention Act.

20 Ill.Admin.Code Part 1290, Missing Person Birth Records and School Registration.

23 Ill.Admin.Code Part 226, Special Education.

23 III.Admin.Code Part 375, Student Records.

CROSS REF.: 6:30 (Organization of Instruction), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 6:300 (Graduation Requirements), 6:310 (Credit for Alternative Courses and Programs, and Course Substitutions), 7:50 (School Admissions and Student Transfers To and From Non-District Schools),7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students), 7:340 (Student Records)

Adopted: January 19, 2023

Leyden CHSD 212

7:60 Residence

Resident Students

Only students who are residents of the District may attend a District school except as provided below or in State law. A student's residence is the same as the person who has legal custody of the student.

A person asserting legal custody over a student, who is not the child's natural or adoptive parent, shall complete a signed statement, stating: (a) that he or she has assumed and exercises legal responsibility for the child, (b) the reason the child lives with him or her, other than to receive an education in the District, and (c) that he or she exercises full control over the child regarding daily educational and medical decisions in case of emergency. In addition, the child's natural or adoptive parent, if available, shall complete a signed statement or affidavit stating: (a) the role and responsibility of the person with whom their child is living, and (b) that the person with whom the child is living has full control over the child regarding daily educational and medical decisions in case of emergency.

A student whose family moves out of the District during a given year will be permitted to attend school for the remainder of that year without payment of tuition. The District, however, is not responsible for the student's transportation to or from school.

When a student's change of residence is due to the military service obligation of the student's legal custodian, the student's residence is deemed to be unchanged for the duration of the custodian's military service obligation if the student's custodian made a written request. The District, however, is not responsible for the student's transportation to or from school.

If, at the time of enrollment, a dependent child of military personnel is housed in temporary housing located outside of the District, but will be living within the District within six months after the time of initial enrollment, the child is allowed to enroll, subject to the requirements of State law, and must not be charged tuition.

Tuition for Nonresident

Under Section 10-22.5 of the Illinois School Code, the Board of Education may, but is not required to, admit non-resident students. Due to the present lack of capacity in the schools it is generally the policy of the Board to deny admission to non-resident students. If in exceptional circumstances a non-resident student is permitted to enroll or if an unauthorized non-resident student attends, the student must be charged tuition in accordance with the mandate of the School Code. A student who becomes a non-resident during the school term may attend school until the completion of the school term in June on a tuition-free basis so long as there is no break in enrollment after becoming a non-resident.

Payment of Tuition

Tuition shall be paid by certified or cashier's check in advance on a semester-by-semester basis. However, non-resident students whose parents or legal guardians demonstrate sufficient intent to establish residency within 30 calendar days from the student's first day of attendance shall be permitted to attend subject to the payment of tuition in advance by cashier's or certified check for the number of school days within the 30 calendar day period. Demonstration of sufficient intent must be by a real estate purchase contract with all significant contingencies satisfied, a closing statement or a lease, showing entitlement to possession within the 30 day period. If residency is not established within the 30 day period, the student shall be disenrolled effective at the end of the 30 day period or as soon thereafter as reasonably possible, subject to the payment of tuition for any additional days or attendance beyond the 30 days. If residency is established within the 30 day period, the tuition for this period will be refunded.

Residency Investigation

The Superintendent may investigate and determine the residency of any student before or after enrollment in accordance with the applicable provisions of Illinois law and may require the involved persons to provide additional information to be considered by the district in determining residency. Such information may include, but is not limited to, interviews, registrations and licenses. The investigation may include, but is not limited to, interviews, completion of questionnaires, observations and home visits. Whenever the Superintendent receives information believed to be reliable questioning the residency of the student, the Superintendent shall conduct an investigation to determine whether the student is a resident of the district.

If a student has not begun attendance in school when residency is questioned, the Superintendent shall generally deny attendance pending determination of the student's residency. At the conclusion of the investigation and after providing the student and the student's parents or other appropriate person an opportunity to discuss the matter, the Superintendent shall make a decision as to the student's residency. If the Superintendent determines that the student is not a resident, the Superintendent will take appropriate action, which may include refusing to enroll the student.

If the Superintendent determines that a student already enrolled is not a resident of the school district, notice of the decision and an opportunity for a hearing shall be given, a hearing held before the Board or its hearing officer if timely requested, and a decision made in accordance with the procedures specified in the School Code. Pending a decision by the Superintendent and any appeal to the Board or that decision, a student enrolled and attending school in the district may continue to attend school if requested by the student's parent or guardian. The person responsible for the student, or the student if 18 years or older, is responsible for tuition pending an appeal if the Superintendent's enrollment decision is affirmed.

As used in this policy, the term "Superintendent" includes the Superintendent's designee.

Criminal Punishment for Misrepresentation of Residency

Illinois law has made it a crime, punishable by imprisonment and fine, to knowingly or willfully present any false information regarding the residency of a student for purposes of enabling that student to attend on a tuition-free basis or to knowingly enroll or attempt to enroll a student on a tuition-free basis when the student is known to be a non-resident of the district. The Superintendent is authorized to seek prosecution to the full extent of the law of any person who the Superintendent believes has committed any residency-related crime. Civil proceedings may also be initiated with the approval of the Board.

Homeless Children

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce records normally required to establish residency. Board policy 6:140, *Education of Homeless Children*, and its implementing administrative procedure, govern the enrollment of homeless children.

LEGAL REF.:

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

105 ILCS 5/10-20.12a, 5/10-20.12b, 5/10-22.5, and 5/10-22.5a.

105 ILCS 45/, Education for Homeless Children Act.

105 ILCS 70/, Educational Opportunity for Military Children Act.

23 Ill.Admin.Code §1.240.

Israel S. by Owens v. Bd. of Educ. of Oak Park and River Forest High Sch. Dist. 200, 235 Ill.App.3d

652 (5th Dist. 1992).

Joel R. v. Board of Education of Manheim School District 83, 292 Ill.App.3d 607 (1st Dist. 1997).

Kraut v. Rachford, 51 Ill.App.3d 206 (1st Dist. 1977).

CROSS REF.: 6:140 (Education of Homeless Children), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:70 (Attendance and Truancy)

Adopted: January 20, 2022

Leyden CHSD 212

7:70 Attendance and Truancy

Compulsory School Attendance

This policy applies to individuals who have custody or control of a child: (a) between the ages of six (on or before September 1) and 17 years (unless the child has graduated from high school), or (b) who is enrolled in any of grades 9 through 12 in the public school regardless of age. Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because of religious reasons, including to observe a religious holiday, for religious instruction, or because his or her religion forbids secular activity on a particular day(s) or time of day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program.

The parent/guardian of a student who is enrolled must authorize all absences from school and notify the school in advance or at the time of the student's absence. A valid cause for absence includes illness (including mental or behavioral health of the student), observance of a religious holiday, death in the immediate family, attendance at a civic event, family emergency, other situations beyond the control of the student as determined by the Board, voting pursuant to policy 7:90, *Release During School Hours* (10 ILCS 5/7-42 and 5/17-15), other circumstances that cause reasonable concern to the parent/guardian for the student's mental, emotional, or physical health or safety, or other reason as approved by the Superintendent or designee. Students absent for a valid cause may make up missed homework and classwork assignments in a reasonable timeframe.

Absenteeism and Truancy Program

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

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Superintendent or designee is authorized to determine when the student's absence is justified.
2. A protocol for excusing a student in grades 9 through 12 from attendance to sound *Taps* at a military honors funeral held in Illinois for a deceased veteran.
3. A protocol for excusing a student from attendance on a particular day(s) or at a particular time of day when his/her parent/guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings.
4. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in 105 ILCS 5/26-2a.
5. A description of diagnostic procedures for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her parent(s)/guardian(s), and staff members or other people who may have information about the reasons for the student's attendance problem.
6. The identification of supportive services that may be offered to truant, chronically truant, or chronically absent students, including parent-teacher conferences, student and/or family counseling, or information about community agency services. See Board policy 6:110, *Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program*.
7. A process for the collection and review of chronic absence data and to:
 - a. Determine what systems of support and resources are needed to engage chronically absent students and their families, and

- b. Encourage the habit of daily attendance and promote success.
8. Reasonable efforts to provide ongoing professional development to teachers, administrators, Board members, school resource officers, and staff on the appropriate and available supportive services for the promotion of student attendance and engagement.
9. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education, if truancy continues after supportive services have been offered.
10. A protocol for cooperating with non-District agencies including County or municipal authorities, the appropriate Intermediate Service Center, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records.
11. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a truant minor for his or her truancy unless available supportive services and other school resources have been provided to the student.
12. The criteria to determine whether a student's non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Superintendent believes qualifies.
13. A process for a 17 year old resident to participate in the District's various programs and resources for truant students. The student must provide documentation of his/her dropout status for the previous six months. A request from an individual 19 years of age or older to re-enroll after having dropped out of school is handled according to provisions in 7:50, *School Admissions and Student Transfers To and From Non-District Schools*.
14. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum attendance standards according to provisions in State law. A parent/guardian has the right to appeal a decision to exclude a student.

Release During School Hours

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

Monitoring

Pursuant to State law and policy 2:240, *Board Policy Development*, the Board updates this policy at least once every two years. The Superintendent or designee shall assist the Board with its update.

LEGAL REF.:

105 ILCS 5/22-92 and 5/26-1 through 18.

705 ILCS 405/3-33.5, Juvenile Court Act of 1987.

23 Ill.Admin.Code §§1.242 and 1.290.

CROSS REF.: 5:100 (Staff Development Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), 7:90 (Release During School Hours), 7:190 (Student Behavior), 7:340 (Student Records)

Adopted: January 19, 2023

7:80 Release Time for Religious Instruction/Observance

A student shall be released from school, as an excused absence, because of religious reasons, including to observe a religious holiday, for religious instruction, or because the student's religion forbids secular activity on a particular day(s) or time of day. This notice shall satisfy the District's requirement for a written excuse when the student returns to school.

The Superintendent or designee shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons, including how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student with an equivalent opportunity to make up any examination, study, or work requirement.

LEGAL REF.:

105 ILCS 5/26-1 and 5/26-2b.

775 ILCS 35/, Religious Freedom Restoration Act.

CROSS REF.: 7:70 (Attendance and Truancy)

Adopted: January 20, 2022

Leyden CHSD 212

7:90 Release During School Hours

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

Early Dismissal Announcement

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

Voting

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

LEGAL REF.:

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

CROSS REF.: 4:170 (Safety)

Adopted: April 30, 2020

Leyden CHSD 212

7:100 Health, Eye, and Dental Examinations, Immunizations, and Exclusion of Students

Required Health Examinations and Immunizations

A student's parents/guardians shall present proof that the student received a health examination, with proof of the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health (IDPH), within one year prior to:

1. Entering the ninth grade; and
2. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, Head Start programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out-of-country).

Proof of immunization against meningococcal disease is required for students in grade 12.

1. A diabetes screening is a required part of each health examination; diabetes testing is not required.
2. An age-appropriate developmental screening and an age-appropriate social and emotional screening are required parts of each health examination. A student will not be excluded from school due to his or her parent/guardian's failure to obtain a developmental screening or a social and emotional screening.
3. The District will provide informational materials regarding influenza, influenza vaccinations, meningococcal disease, and meningococcal vaccinations developed, provided, or approved by the IDPH when it provides information on immunizations, infectious diseases, medications, or other school health issues to students' parents/guardians.

Health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice registered nurse, or a physician assistant who has been delegated the performance of health examinations by a supervising physician.

Unless an exemption or extension applies, the failure to comply with the above requirements by the first day of school of the current school year will result in the student's exclusion from school until the required health forms are presented to the District. New students who register after the first day of school of the current school year shall have 30 days following registration to comply with the health examination and immunization regulations. If a medical reason prevents a student from receiving a required immunization by the first day of school, the student must present, by the first day of school, an immunization schedule and a statement of the medical reasons causing the delay. The schedule and statement of medical reasons must be signed by the physician, advanced practice registered nurse, physician assistant, or local health department responsible for administering the immunizations.

A student transferring from out-of-state who does not have the required proof of immunizations by the first day of school may attend classes only if he or she has proof that an appointment for the required vaccinations is scheduled with a party authorized to submit proof of the required vaccinations. If the required proof of vaccination is not submitted within 30 days after the student is permitted to attend classes, the student may no longer attend classes until proof of the vaccinations is properly submitted.

Eye Examination

Parents/guardians are encouraged to have their children undergo a vision examination whenever health examinations are required.

Parents/guardians of students entering an Illinois school for the first time shall present proof before October 15 of the current school year that the student received an eye examination within one year prior to entry of the school. A physician licensed to practice medicine in all of its branches, or a

licensed optometrist, must perform the required eye examination.

If a student fails to present proof by October 15, the school may hold the student's report card until the student presents proof: (1) of a completed eye examination, or (2) that an eye examination will take place within 60 days after October 15. The Superintendent or designee shall ensure that parents/guardians are notified of this eye examination requirement in compliance with the rules of the IDPH. Schools shall not exclude a student from attending school due to failure to obtain an eye examination.

Dental Examination

All children in ninth grade must present proof of having been examined by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the IDPH.

If a child in the ninth grade fails to present proof by May 15, the school may hold the child's report card until the child presents proof: (1) of a completed dental examination, or (2) that a dental examination will take place within 60 days after May 15. The Superintendent or designee shall ensure that parents/guardians are notified of this dental examination requirement at least 60 days before May 15 of each school year.

Exemptions

In accordance with rules adopted by the IDPH, a student will be exempted from this policy's requirements for:

1. Religious grounds, if the student's parents/guardians present the IDPH's Certificate of Religious Exemption form to the Superintendent or designee. When a Certificate of Religious Exemption form is presented, the Superintendent or designee shall immediately inform the parents/guardians of exclusion procedures pursuant to Board policy 7:280, *Communicable and Chronic Infectious Disease*, and State rules if there is an outbreak of one or more diseases from which the student is not protected.
2. Health examination or immunization requirements on medical grounds, if the examining physician, advanced practice registered nurse, or physician assistant provides written verification.
3. Eye examination requirement, if the student's parents/guardians show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or a licensed optometrist.
4. Dental examination requirement, if the student's parents/guardians show an undue burden or a lack of access to a dentist.

Homeless Child

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment. Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.:

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

105 ILCS 5/27-8.1 and 45/1-20.

410 ILCS 45/7.1, Lead Poisoning Prevention Act.

410 ILCS 315/2e, Communicable Disease Prevention Act.

23 III.Admin.Code §1.530.

77 III. Admin.Code Part 664, Socio-Emotional and Developmental Screening.

77 III.Admin.Code Part 665, Child and Student Health Examination and Immunization.

77 III.Admin.Code Part 690, Control of Communicable Diseases.

CROSS REF.: 6:140 (Education of Homeless Children), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:280 (Communicable and Chronic Infectious Disease)

Adopted: January 19, 2023

Leyden CHSD 212

7:130 Student Rights and Responsibilities

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

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

LEGAL REF.:

20 U.S.C. §7904.

105 ILCS 20/5.

Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 6:235 (Use of Technology), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:170 (Vandalism/Theft), 7:190 (Student Behavior), 7:330 (Student Use of Buildings - Equal Access)

Adopted: August 13, 2020

Leyden CHSD 212

7:140 Search and Seizure

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

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

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. This paragraph applies to student vehicles parked on school property. In addition, Building Principals shall require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

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

When feasible, the search should be conducted as follows:

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

Seizure of Property

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

Notification Regarding Student Accounts or Profiles on Social Networking Websites

The Superintendent or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/:

1. School officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.
2. School officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social networking website that violates a school disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow school officials to make a factual determination.

LEGAL REF.:

105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.

Right to Privacy in the School Setting Act, 105 ILCS 75/.

Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir. 1993).

People v. Dilworth, 169 Ill.2d 195 (1996), *cert. denied*, 116 S.Ct. 1692 (1996).

People v. Pruitt, 278 Ill.App.3d 194 (1st Dist. 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).

T.L.O. v. New Jersey, 469 U.S. 325 (1985).

Vernonia School Dist. 47J v. Acton, 515 U.S. 646 (1995).

Safford Unified School Dist. No. 1 v. Redding, 557 U.S. 364 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Behavior)

Adopted: January 21, 2021

Leyden CHSD 212

7:150 Agency and Police Interviews

The Superintendent shall develop procedures to manage requests by agency officials or police officers to interview students at school. Procedures will:

1. Recognize individual student rights and privacy,
2. Recognize the potential impact an interview may have on an individual student,
3. Minimize potential disruption,
4. Foster a cooperative relationship with public agencies and law enforcement, and
5. Comply with State law including, but not limited to, ensuring that before a law enforcement officer, school resource officer, or other school security person detains and questions on school grounds a student under 18 years of age who is suspected of committing a criminal act, the Superintendent or designee will:
 - a. Notify or attempt to notify the student's parent/guardian and document the time and manner in writing;
 - b. Make reasonable efforts to ensure the student's parent/guardian is present during questioning or, if they are not present, ensure that school employees (including, but not limited to, a school social worker, psychologist, nurse, counselor, or any other mental health professional) are present during the questioning; and
 - c. If practicable, make reasonable efforts to ensure a trained law enforcement officer to promote safe interactions and communications with the student is present during questioning.

LEGAL REF.:

105 ILCS 5/10-20.64, 5/22-88.

55 ILCS 80/, Children's Advocacy Center Act.

325 ILCS 5/, Abused and Neglected Child Reporting Act.

720 ILCS 5/31-1 et seq., Interference with Public Officers Act.

725 ILCS 120/, Rights of Crime Victims and Witnesses Act.

CROSS REF.: 5:90 (Abused and Neglected Child Reporting), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Behavior)

Adopted: January 20, 2022

Leyden CHSD 212

7:160 Student Appearance

A student's appearance, including dress and hygiene, must not disrupt the educational process or compromise standards of health and safety. The District does not prohibit hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists. Students who disrupt the educational process or compromise standards of health and safety must modify their appearance. Procedures for guiding student appearance will be developed by the Superintendent or designee and included in the *Student Handbook(s)*.

LEGAL REF.:

105 ILCS 5/2-3.25 and 5/10-22.25b.

Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503 (1969).

CROSS REF.: 7:10 (Equal Educational Opportunities), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

Adopted: January 20, 2022

Leyden CHSD 212

7:170 Vandalism/Theft

The Board may seek restitution from students and their parents/guardians for theft of District property, vandalism or other student acts that cause damage to school property.

LEGAL REF.:

740 ILCS 115/.

CROSS REF.:7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

Adopted: September 12, 2019

Leyden CHSD 212

7:180 Prevention of and Response to Bullying, Intimidation, and Harassment

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:

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 a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and it does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

Definitions from 105 ILCS 5/27-23.7

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.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

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, (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, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Ill. Human Rights Act.

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 counselors, school social workers, 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 following requirements:

1. Using the definition of *bullying* as provided in this policy, the Superintendent or designee shall emphasize to the school community that: (1) the District prohibits bullying, and (2) 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.
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. 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. Anonymous reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

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4. Consistent with federal and State laws and rules governing student privacy rights, the Superintendent or designee shall promptly inform parent(s)/guardian(s) of all students 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.
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 the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.
 - 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 report of the 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 and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the 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 act 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.

6. The Superintendent or designee shall use interventions to address bullying, which 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.
7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion with regard to students.
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, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) *bullying*, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.
9. The District's bullying prevention and response plan is 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.

11. Pursuant to State law and policy 2:240, *Board Policy Development*, the Board monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions. The Superintendent or designee shall assist the Board with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. 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. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following:

- 1) An updated version of the policy with the amendment/modification date included in the reference portion of the policy;
- 2) If no revisions are deemed necessary, a copy of board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or
- 3) A signed statement from the Board President indicating that the Board re-evaluated the policy and no changes to it were necessary.

The Superintendent or designee must post the information developed as a result of the policy re-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. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30.

12. The District's bullying prevention plan must be consistent with other Board policies.

LEGAL REF.:

105 ILCS 5/10-20.14, 5/10-22.6(b-20), 5/24-24, and 5/27-23.7.

405 ILCS 49/, Children's Mental Health Act.

775 ILCS 5/1-103, Ill. Human Rights Act.

23 Ill.Admin.Code §§1.240, 1.280, and 1.295.

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 Athletics), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:315 (Restrictions on Publications; High Schools)

Adopted: January 19, 2023

7:185 Teen Dating Violence Prohibited

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. For purposes of this policy, the term *teen dating violence* occurs whenever a student 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.

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

1. Fully implements and enforces each of the following Board policies:
 - 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.
 - 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).
 - d. 7:180, *Preventing 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:
 - 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.
 - 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*.
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*.
4. Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager.
5. Notifies students and parents/guardians of this policy.

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)

Adopted: October 15, 2020

Leyden CHSD 212

7:190 Student Behavior

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

When and Where Conduct Rules Apply

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

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

Prohibited Student Conduct

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

1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, selling, or offering for sale:
 - a. Any illegal drug or controlled substance, or cannabis (including marijuana, hashish, and medical cannabis unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*).
 - b. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*.
 - e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the

student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.

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

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

- 4. Using, possessing, controlling, or transferring a *weapon* as that term is defined in the **Weapons** section of this policy, or violating the **Weapons** section of this policy.
- 5. Using or possessing a cellular telephone, electronic signaling device, two-way radio, video recording device, and/or other telecommunication device, unless authorized and approved by the Building Principal.
- 6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
- 7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
- 8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
- 9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.
- 10. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
- 11. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*.
- 12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
- 13. Entering school property or a school facility without proper authorization.
- 14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school

bus, or at any school activity.

15. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truants.
16. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
20. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
21. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

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

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

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

Disciplinary Measures

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

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.

5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised.
7. After-school study or Saturday study provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*.
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Expulsion from school and all school activities for a definite time period not to exceed two calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who has been expelled may also be restricted from being on school grounds and at school activities.
13. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), *look-alikes*, alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

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

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

Isolated Time Out, Time Out, and Physical Restraint

Neither isolated time out, time out, nor physical restraint shall be used to discipline or punish a student. These methods are only authorized for use as permitted in 105 ILCS 5/10-20.33, State Board of Education rules (23 Ill.Admin.Code §§ 1.280, 1.285), and the District's procedure(s).

Weapons

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

1. A firearm, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of

the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).

2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including *look-alikes* of any firearm as defined above.

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

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

Re-Engagement of Returning Students

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

Required Notices

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

Delegation of Authority

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

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

Student Handbook

The Superintendent, with input from the parent-teacher advisory committee, shall prepare disciplinary rules implementing the District's disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval.

A student handbook, including the District disciplinary policies and rules, shall be distributed to the students' parents/guardians within 15 days of the beginning of the school year or a student's enrollment.

Incorporated

by Reference: 7:190-AP4 (Use of Isolated Time Out, Time Out, and Physical Restraint)

LEGAL REF.:

20 U.S.C. §6081, Pro-Children Act of 1994.

20 U.S.C. §7961 et seq., Gun Free Schools Act.

105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/22-33, 5/24-24, 5/26-12, 5/27-23.7, and 5/31-3.

105 ILCS 110/3.10, Critical Health Problems and Comprehensive Health Education Act.

410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.

410 ILCS 647/, Powdered Caffeine Control and Education Act.

430 ILCS 66/, Firearm Concealed Carry Act.

23 Ill.Admin.Code §§ 1.280, 1.285.

CROSS REF.: 2:150 (Committees), 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:315 (Restrictions on Publications; High Schools), 8:30 (Visitors to and Conduct on School Property)

Adopted: January 20, 2022

Leyden CHSD 212

7:200 Suspension Procedures

In-School Suspension

The Superintendent or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

1. Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
2. Students are supervised by school personnel.
3. Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension

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

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
2. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. An attempted phone call to the student's parent(s)/guardian(s).
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall:
 - a. Provide notice to the parent(s)/guardian(s) of their child's right to a review of the suspension;
 - b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit;
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;
 - d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
 - e. Depending upon the length of the out-of-school suspension, include the following applicable information:
 - i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose:
 - a. A disruption to other students' learning opportunities.
 - b. A threat to school safety, or
 - ii. For a suspension of 4 or more school days, an explanation:
 - a. That the student's continuing presence in school would either:
 - i. Substantially disrupt, impede, or interfere with the operation of the school, or
 - ii. Pose a threat to the safety of other students, staff, or members of the school community.
 - b. As to whether school officials attempted other interventions or determined that no other interventions were available for the student, and
 - c. That other appropriate and available behavioral and disciplinary interventions have been exhausted,

- iii. For a suspension of 5 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Superintendent or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.
5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Superintendent or designee.
6. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board or a hearing officer appointed by the Board. At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the Superintendent or designee shall invite a representative from a local mental health agency to consult with the Board. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall specifically detail items (a) and (e) in number 4, above.

LEGAL REF.:

Goss v. Lopez, 419 U.S. 565 (1975).

105 ILCS 5/10-20.14, 5/10-22.6.

23 Ill.Admin.Code §1.280.

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

Adopted: January 20, 2022

Leyden CHSD 212

7:210 Expulsion Procedures

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

1. Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested. The request shall:
 - a. Include the time, date, and place for the hearing.
 - b. Briefly describe what will happen during the hearing.
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to recommend expulsion.
 - d. List the student's prior suspension(s).
 - e. State that the School Code allows the Board of Education to expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis.
 - f. Ask that the student or parent(s)/guardian(s) or attorney inform the Superintendent or Board Attorney if the student will be represented by an attorney and, if so, the attorney's name and contact information.
2. Unless the student and parent(s)/guardian(s) indicate that they do not want a hearing or fail to appear at the designated time and place, the hearing will proceed. It shall be conducted by the Board or a hearing officer appointed by it. If a hearing officer is appointed, he or she shall report to the Board the evidence presented at the hearing and the Board shall take such final action as it finds appropriate. Whenever there is evidence that mental illness may be the cause for the recommended expulsion, the Superintendent or designee shall invite a representative from a local mental health agency to consult with the Board.
3. During the expulsion hearing, the Board or hearing officer shall hear evidence concerning whether the student is guilty of the gross disobedience or misconduct as charged. School officials must provide: (1) testimony of any other interventions attempted and exhausted or of their determination that no other appropriate and available interventions were available for the student, and (2) evidence of the threat or disruption posed by the student. The student and his or her parent(s)/guardian(s) may be represented by counsel, offer evidence, present witnesses, cross-examine witnesses who testified, and otherwise present reasons why the student should not be expelled. After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.
4. If the Board acts to expel the student, its written expulsion decision shall:
 - a. Detail the specific reason why removing the student from his or her learning environment is in the best interest of the school.
 - b. Provide a rationale for the specific duration of the recommended expulsion.
 - c. Document how school officials determined that all behavioral and disciplinary interventions have been exhausted by specifying which interventions were attempted or whether school officials determined that no other appropriate and available interventions existed for the student.
 - d. Document how the student's continuing presence in school would (1) pose a threat to the safety of other students, staff, or members of the school community, or (2) substantially disrupt, impede, or interfere with the operation of the school.
5. Upon expulsion, the District may refer the student to appropriate and available support services.

LEGAL REF.:

Goss v. Lopez, 419 U.S. 565 (1975).

105 ILCS 5/10-20.14, 5/10-22.6.

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

Adopted: January 20, 2022

Leyden CHSD 212

7:220 Bus Conduct

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

School Bus Suspensions

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

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

If a student is suspended from riding the bus for gross disobedience or misconduct on a bus, the Board of Education may suspend the student from riding the school bus for a period in excess of 10 days for safety reasons. The District's regular suspension procedures shall be used to suspend a student's privilege to ride a school bus.

Academic Credit for Missed Classes During School Bus Suspension

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

Electronic Recordings on School Buses

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

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

LEGAL REF.:

Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.

105 ILCS 5/10-20.14, 5/10-22.6, and 10/.

720 ILCS 5/14-3(m).

23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 7:130 (Student Rights and Responsibilities), 7:170 (Vandalism/Theft), 7:180 (Preventing Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities), 7:340 (Student Records)

Adopted: September 16, 2021

Leyden CHSD 212

7:230 Misconduct by Students with Disabilities

Behavioral Interventions

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

Discipline of Special Education Students

The District shall comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education's *Special Education* rules when disciplining special education students. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability.

LEGAL REF.:

Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1412, 1413, and 1415.

Gun-Free Schools Act, 20 U.S.C. §7151 et seq.

34 C.F.R. §§300.101, 300.530 - 300.536.

105 ILCS 5/10-22.6 and 5/14-8.05.

23 Ill.Admin.Code §226.400.

Honig v. Doe, 108 S.Ct. 592 (1988).

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

Adopted: September 16, 2021

Leyden CHSD 212

7:240 Conduct Code for Participants in Athletics

The Athletic Director, using input from coaches of athletic activities, shall develop a conduct code for all athletes consistent with Board policy and the rules adopted by any association in which the School District maintains a membership. The conduct code shall: (1) require participants in extracurricular activities to conduct themselves as good citizens and exemplars of their school at all times, including after school, on days when school is not in session, and whether on or off school property; (2) emphasize that hazing and bullying activities are strictly prohibited; and (3) notify participants that failure to abide by it could result in discipline, up to and including removal from the activity. Participants who violate the conduct code will be allowed to give an explanation before being progressively disciplined. The conduct code shall be reviewed by the Building Principal periodically at his or her discretion and presented to the Board of Education.

Participants in extracurricular activities must abide by the conduct code for the activity and Board policy 7:190, *Student Behavior*. All coaches and sponsors of extracurricular activities shall annually review the conduct code with participants and provide participants with a copy. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students in grades 9 through 12 participating in these programs.

Performance Enhancing Drug Testing of High School Student Athletes

The Illinois High School Association (IHSA) prohibits participants in an athletic activity sponsored or sanctioned by IHSA from ingesting or otherwise using any performance enhancing substance on its banned substance list, without a written prescription and medical documentation provided by a licensed physician who evaluated the student-athlete for a legitimate medical condition. IHSA administers a performance-enhancing substance testing program. Under this program, student athletes are subject to random drug testing for the presence in their bodies of performance-enhancing substances on the IHSA's banned substance list. In addition to being penalized by IHSA, a student may be disciplined according to Board policy 7:190, *Student Behavior*.

LEGAL REF.:

Mahanoy Area Sch. Dist. v. B.L., 141 S.Ct. 2038 (2021).

Bd. of Educ. of Independent Sch. Dist. No. 92 v. Earls, 536 U.S. 822 (2002).

Vernonia Sch. Dist. 475 v. Acton, 515 U.S. 646 (1995).

Clements v. Bd. of Educ. of Decatur, 133 Ill.App.3d 531 (4th Dist. 1985).

Kevin Jordan v. O'Fallon THSD 203, 302 Ill.App.3d 1070 (5th Dist. 1999).

Todd v. Rush County Schs., 133 F.3d 984 (7th Cir. 1998).

105 ILCS 5/24-24, 5/27-23.3, and 25/2.

CROSS REF.: 5:280 (Duties and Qualifications), 6:190 (Illinois High School Association Extracurricular Activities-No Pass, No Play), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:242 (Sunday and Holiday Practice), 7:300 (Extracurricular Athletics)

Adopted: January 20, 2022

7:250 Student Support Services

The District provides a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Ill. Dept. of Children and Family Services when enrolling in or changing schools.

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

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

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

Erin's Law Counseling Options, Assistance, and Intervention

The Superintendent or designee will ensure that each school building's Student Support Committee identifies counseling options for students who are affected by sexual abuse and grooming behaviors, along with District and community-based options for victims of sexual abuse and grooming behaviors to obtain assistance and intervention. Community-based options must include a Children's Advocacy Center and sexual assault crisis center(s) that serve the District, if any.

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

LEGAL REF.:

105 ILCS 5/10-23.13(b), 5/10-20.59, and 5/21B-25(G).

405 ILCS 49/, Children's Mental Health Act.

740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.

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

DATED : January 19, 2023

Leyden CHSD 212

7:260 Nonparticipation/Exemption from Physical Education

In order to be excused from participation in physical education, a student must present an appropriate excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act. The excuse should be based on medical or religious prohibitions. An excuse because of medical reasons must include a signed statement from a person licensed under the Medical Practice Act that corroborates the medical reason for the request. An excuse based on religious reasons must include a signed statement from a member of the clergy that corroborates the religious reason for the request. Upon written notice from a student's parent/guardian, a student will be excused from engaging in the physical activity components of physical education during a period of religious fasting.

Special activities in physical education will be provided for students whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents their participation in the physical education courses.

State law prohibits a school board from honoring parental excuses based upon a student's participation in athletic training, activities, or competitions conducted outside the auspices of the School District.

A student who is eligible for special education may be excused from physical education courses in either of the following situations:

1. He or she (a) is in grades 9-12, (b) his or her IEP requires that special education support and services be provided during physical education time, and (c) the parent/guardian agrees or the IEP team makes the determination; or
2. He or she (a) has an IEP, (b) is participating in an adaptive athletic program outside of the school setting, and (c) the parent/guardian documents the student's participation as required by the Superintendent or designee.

A student requiring adapted physical education must receive that service in accordance with his or her Individualized Educational Program/Plan (IEP).

A student in grades 9-12, unless otherwise stated, may submit a written request to the Building Principal to be excused from physical education courses for the reasons stated in 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*.

The Superintendent or designee shall maintain records showing that the criteria set forth in this policy were applied to the student's individual circumstances, as appropriate.

Students who have been excused from physical education shall return to the course as soon as practical. The following considerations will be used to determine when a student shall return to a physical education course:

1. The time of year when the student's participation ceases;
2. The student's class schedule; and
3. The student's future or planned additional participation in activities qualifying for substitutions for physical education as outlined in policy 6:310, *High School Credit for Non-District Experiences; Course Substitutions; Re-Entering Students*.

LEGAL REF.:

105 ILCS 5/27-6.

225 ILCS 60/, Medical Practice Act.

23 Ill.Admin.Code §1.420(p) and §1.425(d), (e).

CROSS REF.: 6:60 (Curriculum Content), 6:310 (Credit for Alternative Courses and Programs, and Course Substitutions)

Adopted: January 20, 2022

Leyden CHSD 212

7:270 Administering Medicines to Students

Students should not take medication during school hours or during school-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent/guardian believe that it is necessary for the student to take a medication during school hours or school-related activities, the parent/guardian must request that the school dispense the medication to the child and otherwise follow the District's procedures on dispensing medication.

No School District employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed *School Medication Authorization Form (SMA Form)* is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

Nothing in this policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students.

Self-Administration of Medication

A student may possess and self-administer an epinephrine injector, e.g., EpiPen®, and/or asthma medication prescribed for use at the student's discretion, provided the student's parent/guardian has completed and signed an *SMA Form*. The Superintendent or designee will ensure an Emergency Action Plan is developed for each self-administering student.

A student may self-administer medication required under a *qualifying plan*, provided the student's parent/guardian has completed and signed an *SMA Form*. A qualifying plan means: (1) an asthma action plan, (2) an Individual Health Care Action Plan, (3) an Ill. Food Allergy Emergency Action Plan and Treatment Authorization Form, (4) a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or (5) a plan pursuant to the federal Individuals with Disabilities Education Act.

The District shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication, including asthma medication or epinephrine injectors, or medication required under a qualifying plan. A student's parent/guardian must indemnify and hold harmless the District and its employees and agents, against any claims, except a claim based on willful and wanton conduct, arising out of a student's self-administration of an epinephrine injector, asthma medication, and/or a medication required under a qualifying plan.

School District Supply of Undesignated Epinephrine Injectors

The Superintendent or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated epinephrine injectors in the name of the District and provide or administer them as necessary according to State law. *Undesignated epinephrine injector* means an epinephrine injector prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated epinephrine injector to a person when they, in good faith, believe a person is having an anaphylactic reaction. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law.

School District Supply of Undesignated Opioid Antagonists

The Superintendent or designee shall implement 105 ILCS 5/22-30(f) and maintain a supply of undesignated opioid antagonists in the name of the District and provide or administer them as

necessary according to State law. *Opioid antagonist* means a drug that binds to opioid receptors and blocks or inhibits the effect of opioids acting on those receptors, including, but not limited to, naloxone hydrochloride or any other similarly acting drug approved by the U.S. Food and Drug Administration. *Undesignated opioid antagonist* is not defined by the School Code: for purposes of this policy it means an opioid antagonist prescribed in the name of the District or one of its schools. A school nurse or trained personnel, as defined in State law, may administer an undesignated opioid antagonist to a person when they, in good faith, believe a person is having an opioid overdose. Each building administrator and/or his or her corresponding school nurse shall maintain the names of trained personnel who have received a statement of certification pursuant to State law. See the website for the Ill. Dept. of Human Services for information about opioid prevention, abuse, public awareness, and a toll-free number to provide information and referral services for persons with questions concerning substance abuse treatment.

Administration of Medical Cannabis

The Compassionate Use of Medical Cannabis Program Act allows a *medical cannabis infused product* to be administered to a student by one or more of the following individuals:

1. A parent/guardian of a student who is a minor who registers with the Ill. Dept. of Public Health (IDPH) as a *designated caregiver* to administer medical cannabis to their child. A designated caregiver may also be another individual other than the student's parent/guardian. Any designated caregiver must be at least 21 years old and is allowed to administer a *medical cannabis infused product* to a child who is a student on the premises of his or her school or on his or her school bus if:
 - a. Both the student and the designated caregiver possess valid registry identification cards issued by IDPH;
 - b. Copies of the registry identification cards are provided to the District;
 - c. That student's parent/guardian completed, signed, and submitted a *School Medication Authorization Form - Medical Cannabis*; and
 - d. After administering the product to the student, the designated caregiver immediately removes it from school premises or the school bus.
2. A properly trained school nurse or administrator, who shall be allowed to administer the *medical cannabis infused product* to the student on the premises of the child's school, at a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care on school-operated property or while being transported on a school bus.
3. The student him or herself when the self-administration takes place under the direct supervision of a school nurse or administrator.

Medical cannabis infused product (product) includes oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped. Smoking and/or vaping medical cannabis is prohibited.

The product may not be administered in a manner that, in the opinion of the District or school, would create a disruption to the educational environment or cause exposure of the product to other students. A school employee shall not be required to administer the product.

Discipline of a student for being administered a product by a designated caregiver, or by a school nurse or administrator, or who self-administers a product under the direct supervision of a school nurse or administrator pursuant to this policy is prohibited. The District may not deny a student attendance at a school solely because he or she requires administration of the product during school hours.

Void Policy

The **School District Supply of Undesignated Epinephrine Injectors** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for undesignated epinephrine injectors from a physician or advanced practice nurse licensed to practice medicine in all its branches, or (2) fill the District's prescription for undesignated school epinephrine injectors.

The **School District Supply of Undesignated Opioid Antagonists** section of the policy is void whenever the Superintendent or designee is, for whatever reason, unable to: (1) obtain for the District a prescription for opioid antagonists from a health care professional who has been delegated prescriptive authority for opioid antagonists in accordance with Section 5-23 of the Substance Use Disorder Act, or (2) fill the District's prescription for undesignated school opioid antagonists.

The **Administration of Medical Cannabis** section of the policy is void and the District reserves the right not to implement it if the District or school is in danger of losing federal funding.

Administration of Undesignated Medication

Upon any administration of an undesignated medication permitted by State law, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.

Undesignated Medication Disclaimers

Upon implementation of this policy, the protections from liability and hold harmless provisions applicable under State law apply.

No one, including without limitation, parents/guardians of students, should rely on the District for the availability of undesignated medication. This policy does not guarantee the availability of undesignated medications. Students and their parents/guardians should consult their own physician regarding these medication(s).

LEGAL REF.:

105 ILCS 5/10-20.14b, 5/10-22.21b, 5/22-30, and 5/22-33.

105 ILCS 145/, Care of Students with Diabetes Act.

410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.

720 ILCS 550/, Cannabis Control Act.

23 Ill.Admin.Code §1.540.

CROSS REF.: 7:285 (Anaphylaxis Prevention, Response, and Management Program)

Adopted: August 18, 2022

7:280 Communicable and Chronic Infectious Disease

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the Board's policies. The Superintendent will develop procedures to safeguard these rights while managing health and safety concerns.

LEGAL REF.:

105 ILCS 5/10-21.11.

23 Ill.Admin.Code §§ 1.610 and 226.300.

77 Ill.Admin.Code Part 690.

20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act of 2004.

29 U.S.C. §794(a), Rehabilitation Act of 1973, Section 504.

ADMIN PROC.:7:280-AP (Managing Students with Communicable or Infectious Disease)

Adopted: September 16, 2021

Leyden CHSD 212

7:285 Anaphylaxis Prevention, Response, and Management Program

School attendance may increase a student's risk of exposure to allergens that could trigger anaphylaxis. Students at risk for anaphylaxis benefit from a Board of Education policy that coordinates a planned response in the event of an anaphylactic emergency. Anaphylaxis is a severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. Common allergens include animal dander, fish, latex, milk, shellfish, tree nuts, eggs, insect venom, medications, peanuts, soy, and wheat. A severe allergic reaction usually occurs quickly; death has been reported to occur within minutes. An anaphylactic reaction can also occur up to one to two hours after exposure to the allergen.

While it is not possible for the District to completely eliminate the risks of an anaphylactic emergency when a student is at school, an Anaphylaxis Prevention, Response, and Management Program using a cooperative effort among students' families, staff members, students, health care providers, emergency medical services, and the community helps the District reduce these risks and provide accommodations and proper treatment for anaphylactic reactions.

The Superintendent or designee shall develop and implement an Anaphylaxis Prevention, Response, and Management Program for the prevention and treatment of anaphylaxis that:

1. Fully implements the Ill. State Board of Education (ISBE)'s model policy required by the School Code that: (a) relates to the care and response to a person having an anaphylaxis reaction, (b) addresses the use of epinephrine in a school setting, (c) provides a full food allergy and prevention of allergen exposure plan, and (d) aligns with 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540.
2. Ensures staff members receive appropriate training, including: (a) an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management, and (b) training required by law for those staff members acting as *trained personnel*, as provided in 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540.
3. Implements and maintains a supply of undesignated epinephrine in the name of the District, in accordance with policy 7:270, *Administering Medicines to Students*.
4. Follows and references the applicable best practices specific to the District's needs in the Centers for Disease Control and Prevention's *Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs* and the *National Association of School Nurses Allergies and Anaphylaxis Resources/Checklists*.
5. Provides annual notice to the parents/guardians of all students to make them aware of this policy.
6. Complies with State and federal law and is in alignment with Board policies.

Monitoring

Pursuant to State law and policy 2:240, *Board Policy Development*, the Board reviews and makes any necessary updates to this policy at least once every three years. The Superintendent or designee shall assist the Board with its review and any necessary updates.

LEGAL REF.:

105 ILCS 5/2-3.190, 5/10-22.39(e), and 5/22-30.

23 Ill.Admin.Code §1.540.

Anaphylaxis Response Policy for Illinois Schools, published by ISBE.

CROSS REF.: 4:110 (Transportation), 4:120 (Food Services), 4:170 (Safety), 5:100 (Staff

Development Program), 6:120 (Education of Children with Disabilities), 6:240 (Field Trips), 7:180 (Prevention of and Response to Bullying, Intimidation and Harassment), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100 (Relations with Other Organizations and Agencies)

Adopted: January 19, 2023

Leyden CHSD 212

7:290 Suicide and Depression Awareness and Prevention

Youth suicide impacts the safety of the school environment. It also affects the school community, diminishing the ability of surviving students to learn and the school's ability to educate. Suicide and depression awareness and prevention are important Board goals.

Suicide and Depression Awareness and Prevention Program

The Superintendent or designee shall develop, implement, and maintain a suicide and depression awareness and prevention program (Program) that advances the Board's goals of increasing awareness and prevention of depression and suicide. This program must be consistent with the requirements of *Ann Marie's Law*, each requirement listed below, corresponds with the list of required policy components in the School Code Section 5/2-3.166(c)(2)-(7). The Program shall include:

1. Protocols for administering youth suicide awareness and prevention education to students and staff.
 - a. For students, implementation will incorporate Board policy 6:60, *Curriculum Content*, which implements 105 ILCS 5/2-3.139 and 105 ILCS 5/27-7 (requiring education for students to develop a sound mind and a healthy body).
 - b. For staff, implementation will incorporate Board policy 5:100, *Staff Development Program*, and teacher's institutes under 105 ILCS 5/3-14.8 (requiring coverage of the warning signs of suicidal behavior).
2. Procedures for methods of suicide prevention with the goal of early identification and referral of students possibly at risk of suicide. Implementation will incorporate:
 - a. The training required by 105 ILCS 5/10-22.39 for licensed school personnel and administrators who work with students to identify the warning signs of suicidal behavior in youth along with appropriate intervention and referral techniques, including methods of prevention, procedures for early identification, and referral of students at risk of suicide; and
 - b. Ill. State Board of Education (ISBE)-recommended guidelines and educational materials for staff training and professional development, along with ISBE-recommended resources for students containing age-appropriate educational materials on youth suicide and awareness, if available pursuant to *Ann Marie's Law* on ISBE's website.
3. Methods of intervention, including procedures that address an emotional or mental health safety plan for use during the school day and at school-sponsored events for a student identified as being at increased risk of suicide including those students who: (A) suffer from a mental health disorder; (B) suffer from a substance abuse disorder; (C) engage in self-harm or have previously attempted suicide; (D) reside in an out-of-home placement; (E) are experiencing homelessness; (F) are lesbian, gay, bisexual, transgender, or questioning (LGBTQ); (G) are bereaved by suicide; or (H) have a medical condition or certain types of disabilities. Implementation will incorporate paragraph number 2, above, along with Board policies:
 - a. 6:65, *Student Social and Emotional Development*, implementing the goals and benchmarks of the Ill. Learning Standards and 405 ILCS 49/15(b) (requiring student social and emotional development in the District's educational program);
 - b. 6:120, *Education of Children with Disabilities*, implementing special education requirements for the District;
 - c. 6:140, *Education of Homeless Children*, implementing provision of District services to students who are homeless;
 - d. 6:270, *Guidance and Counseling Program*, implementing guidance and counseling program(s) for students, and 105 ILCS 5/10-22.24a and 22.24b, which allow a qualified guidance specialist or any licensed staff member to provide school counseling services;

- e. 7:10, *Equal Educational Opportunities*, and its implementing administrative procedure and exhibit, implementing supports for equal educational opportunities for students who are LGBTQ;
 - f. 7:50, *School Admissions and Student Transfers To and From Non-District Schools*, implementing State law requirements related to students who are in foster care;
 - g. 7:250, *Student Support Services*, implementing the Children's Mental Health Act, 405 ILCS 49/ (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); and
 - h. State and/or federal resources that address emotional or mental health safety plans for students who are possibly at an increased risk for suicide, if available on the ISBE's website pursuant to *Ann Marie's Law*.
4. Methods of responding to a student or staff suicide or suicide attempt. Implementation of this requirement shall incorporate building-level Student Support Committee(s) established through Board policy 7:250, *Student Support Services*.
 5. Reporting procedures. Implementation of this requirement shall incorporate Board policy 6:270, *Guidance and Counseling Program*, and Board policy 7:250, *Student Support Services*, in addition to other State and/or federal resources that address reporting procedures.
 6. A process to incorporate ISBE-recommended resources on youth suicide awareness and prevention programs, including current contact information for such programs in the District's Suicide and Depression Awareness and Prevention Program. These resources shall include the Crisis and Referral Entry Services (CARES) line at 1-800-345-9049.

Illinois Suicide Prevention Strategic Planning Committee

The Superintendent or designee shall attempt to develop a liaison between the District and the Illinois Suicide Prevention Strategic Planning Committee, the Illinois Suicide Prevention Coalition Alliance, and/or a community mental health agency to secure professional expertise and assistance.

Monitoring

The Board will review and update this policy pursuant to *Ann Marie's Law* and Board policy 2:240, *Board Policy Development*.

Information to Staff, Parents/Guardians, and Students

The Superintendent shall inform each school district employee and the parent or legal guardian of each student enrolled in the District about this policy and shall post the policy on the District's website. Student identification (ID) cards, the District's website, and student handbooks and planners will contain the support information as required by State law.

Implementation

This policy shall be implemented in a manner consistent with State and federal laws, including the Student Confidential Reporting Act, 5 ILCS 860/, Children's Mental Health Act, 405 ILCS 49/, Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/, and the Individuals with Disabilities Education Act, 42 U.S.C. §12101 *et seq.*

The District, Board, and its staff are protected from liability by the Local Governmental and Governmental Employees Tort Immunity Act. Interventions and services provided pursuant to this policy: (1) do not replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in suicide prevention, assessments and counseling services, (2) are strictly limited to the available resources within the District, (3) do not extend beyond the school day and/or school-sponsored events, and (4) cannot guarantee or ensure the safety of a student or the student body.

LEGAL REF.:

42 U.S.C. § 1201 et seq. Individuals with Disabilities Education Act.

105 ILCS 5/2-3.166, 105 ILCS 5/2-3.139, 5/3-14.8, 5/10-20.76, 5/10-20.81, 5/10-22.24a, 5/10-22.24b, 5/10-22.39, 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b, 5/27-7.

5 ILCS 860/, Student Confidential Reporting Act.

405 ILCS 49/, Children's Mental Health Act.

740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.

745 ILCS 10/, Local Governmental and Governmental Tort Immunity Act.

CROSS REF.: 2:240 (Board Policy Development), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:120 (Education of Children with Disabilities), 6:270 (Guidance and Counseling Program), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

Adopted: January 19, 2023

Leyden CHSD 212

7:300 Extracurricular Athletics

Student participation in school-sponsored extracurricular athletic activities is contingent upon the following:

1. The student must meet the academic criteria set forth in Board policy 6:190, *Extracurricular and Co-Curricular Activities*.
2. A parent/guardian of the student must provide written permission for the student's participation, giving the District full waiver of responsibility of the risks involved.
3. The student must present a current certificate of physical fitness issued by a licensed physician, an advanced practice registered nurse, or a physician assistant. The ***Pre-Participation Physical Examination Form***, offered by the Illinois High School Association and the Illinois Elementary School Association, is the preferred certificate of physical fitness.
4. The student must show proof of accident insurance coverage either by a policy purchased through the District-approved insurance plan or a parent/guardian written statement that the student is covered under a family insurance plan.
5. The student must agree to follow all conduct rules and the coaches' instructions.
6. The student and his or her parent(s)/guardian(s) must: (a) comply with the eligibility rules of, and complete any forms required by, any sponsoring association (such as, the Illinois Elementary School Association, the Illinois High School Association, or the Southern Illinois Junior High School Athletic Association), and (b) complete all forms required by the District including, without limitation, signing an acknowledgment of receiving information about the Board's concussion policy 7:305, *Student Athlete Concussions and Head Injuries*.

The Superintendent or designee (1) is authorized to impose additional requirements for a student to participate in extracurricular athletics, provided the requirement(s) comply with Board policy 7:10, *Equal Educational Opportunities*, and (2) shall maintain the necessary records to ensure student compliance with this policy.

LEGAL REF.:

105 ILCS 5/10-20.30, 5/10-20.54, 5/22-80, and 25/2.

23 Ill.Admin.Code §1.530(b).

CROSS REF.: 4:100 (Insurance Management), 4:170 (Safety), 6:190 (Illinois High School Association Extracurricular Activities-No Pass, No Play), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:242 (Sunday and Holiday Practice), 7:305 (Student Concussions and Head Injuries), 7:340 (Student Records)

Adopted: January 21, 2021

7:302 Sunday and Holiday Practice

There shall be no scheduled or optional athletic practice, club activities, or rehearsals in District 212 on Thanksgiving Day, Christmas Day, New Year's Day, or Easter Sunday. If a varsity athletic coach feels it is necessary to hold a practice on any of these days, he must submit his request to the Athletic Director no later than one week prior to the holiday. There will be no exceptions for underclass teams, class activities, or rehearsals. On all other legal holidays or school holidays it is permissible to have practice providing the coach has informed the Athletic Director or Principal and Maintenance that they will be in the building and the times they will be practicing or conducting the extracurricular activity.

Sunday practices are to be discouraged, and if an athletic coach feels it is necessary to hold a Sunday practice in preparation for a tournament, or other contests, then he must have the permission of the Athletic Director prior to the practice date. The coach must also inform Maintenance that he will be in the building and what time his practice will be held. If permission to practice on Sunday has been granted by the Athletic Director, then practice shall not begin until after 1:30 p.m. and attendance shall be optional. At no time shall there ever be practices scheduled for the morning or prior to 1:30 p.m. on Sunday.

Club activities, rehearsals, or concerts on Sunday are to be held to a minimum, and in all cases must be cleared through the building Principal.

CROSS REF.:7:240 (Conduct Code for Participants in Athletics), 7:300 (Extracurricular Athletics)

ADOPTED:June 19, 2008

Leyden CHSD 212

7:305 Student Athlete Concussions and Head Injuries

The Superintendent or designee shall develop and implement a program to manage concussions and head injuries suffered by students. The program shall:

1. Fully implement the Youth Sports Concussion Safety Act, that provides, without limitation, each of the following:
 - a. The Board must appoint or approve members of a Concussion Oversight Team for the District.
 - b. The Concussion Oversight Team shall establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention:
 - i. A return-to-play protocol governing a student's return to interscholastic athletics practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol.
 - ii. A return-to-learn protocol governing a student's return to the classroom following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise the person responsible for compliance with the return-to-learn protocol.
 - c. Each student and the student's parent/guardian shall be required to sign a concussion information receipt form each school year before participating in an interscholastic athletic activity.
 - d. A student shall be removed from an interscholastic athletic practice or competition immediately if any of the following individuals believes that the student sustained a concussion during the practice and/or competition: a coach, a physician, a game official, an athletic trainer, the student's parent/guardian, the student, or any other person deemed appropriate under the return-to-play protocol.
 - e. A student who was removed from interscholastic athletic practice or competition shall be allowed to return only after all statutory prerequisites are completed, including without limitation, the return-to-play and return-to-learn protocols developed by the Concussion Oversight Team. An athletic team coach or assistant coach may not authorize a student's return-to-play or return-to-learn.
 - f. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: all coaches or assistant coaches (whether volunteer or a district employee) of interscholastic athletic activities; nurses, licensed healthcare professionals or non-licensed healthcare professionals who serve on the Concussion Oversight Team (whether or not they serve on a volunteer basis); athletic trainers; game officials of interscholastic athletic activities; and physicians who serve on the Concussion Oversight Team.
 - g. The Board shall approve school-specific emergency action plans for interscholastic athletic activities to address the serious injuries and acute medical conditions in which a student's condition may deteriorate rapidly.
2. Comply with the concussion protocols, policies, and by-laws of the Illinois High School Association (IHSA), including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussion*, which includes its *Return to Play (RTP) Policy*. These specifically require that:
 - a. A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion in a practice or game shall be removed from participation or competition at that time.
 - b. A student athlete who has been removed from an interscholastic contest for a possible

concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer.

- c. If not cleared to return to that contest, a student athlete may not return to play or practice until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois, advanced practice registered nurse, physician assistant or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois.
3. Require that all high school coaching personnel, including the head and assistant coaches, and athletic directors obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15.
4. Require all student athletes to view the IHSA video about concussions.
5. Inform student athletes and their parents/guardians about this policy in the *Agreement to Participate* or other written instrument that a student athlete and his or her parent/guardian must sign before the student is allowed to participate in a practice or interscholastic competition.
6. Provide coaches and student athletes and their parents/guardians with educational materials from the IHSA regarding the nature and risk of concussions and head injuries, including the risks inherent in continuing to play after a concussion or head injury.
7. Include a requirement for staff members to notify the parent/guardian of a student who exhibits symptoms consistent with that of a concussion.
8. Include a requirement for staff members to distribute the Ill. Dept. of Public Health concussion brochure to any student or the parent/guardian of a student who may have sustained a concussion, regardless of whether or not the concussion occurred while the student was participating in an interscholastic athletic activity, if available.
9. Include a requirement for certified athletic trainers to complete and submit a monthly report to the IHSA on student-athletes who have sustained a concussion during: 1) a school-sponsored activity overseen by the athletic trainer; or 2) a school-sponsored event of which the athletic director is made aware.

LEGAL REF.:

105 ILCS 5/22-80.

105 ILCS 25/1.15.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 7:300 (Extracurricular Athletics)

Adopted: February 21, 2019

Leyden CHSD 212

7:315 Restrictions on Publications; High Schools

Definitions

Libel means the willful or negligent publication of provably false and unprivileged statements of fact that do demonstrable harm to a living person's reputation.

Obscene means lewd; impure; indecent; calculated to shock the moral sense of humans by a disregard of chastity or modesty. Objectionable or offensive to accepted standards of decency.

School official means a Building Principal or designee.

School-sponsored media means any material that is prepared, substantially written, published, or broadcast by a student journalist, distributed or generally made available to members of the student body, and prepared under the direction of a student media advisor. It does not include media intended for distribution or transmission solely in the classroom in which the media is produced.

Slander means the speaking of false statements of fact that seriously harm a living person's reputation.

Student journalist means a public high school student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media.

Student media adviser means an individual employed, appointed, or designated by the District to supervise or provide instruction relating to school-sponsored media.

School-Sponsored Media

School-sponsored publications, productions, and websites are governed by the Speech Rights of Student Journalists Act and Board of Education policies, and student journalists are responsible for determining the news, opinion, feature, and advertising content of those publications, productions, and websites.

Student journalists shall strive to:

1. Make decisions based upon news value and guided by the Code of Ethics provided by the Society of Professional Journalists, National Scholastic Press Association, Journalism Education Association, or other relevant group;
2. Produce media based upon professional standards of accuracy, objectivity, and fairness;
3. Review material to improve sentence structure, grammar, spelling, and punctuation;
4. Check and verify all facts and verify the accuracy of all quotations; and
5. In the use of personal opinions, editorial statements, and/or letters to the editor, determine the need to provide opportunity and space for the expression of differing opinions within the same media to align with the District's media literacy curriculum mandate in 105 ILCS 5/27-20.08.

Student journalists may not create, produce, or distribute school-sponsored media that:

1. Is libelous, slanderous, or obscene;
2. Constitutes an unwarranted invasion of privacy;
3. Violates federal or State law, including the Constitutional rights of third parties; or
4. Incites students to:
 - a. Commit an unlawful act;
 - b. Violate any of the District's policies, including but not limited to (1) its educational mission

in policies 1:30, *School District Philosophy* and 6:10, *Educational Philosophy and Objectives*, and (2) speech that is socially inappropriate or inappropriate due to the maturity of the students pursuant to policies 6:65, *Student Social and Emotional Development*, and 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, or

- c. Materially and substantially disrupt the orderly operation of the school.

The District will not engage in prior restraint of material prepared by student journalists for school-sponsored media, unless the material fits into one of the four prohibited categories listed above, in which case the Superintendent or designee and/or student media adviser may review, edit, and delete such media material before publication or distribution of the media.

No expression made by students in the exercise of freedom of speech or freedom of the press under this policy shall be deemed to be an expression of the District or an expression of Board policy.

Non-School Sponsored Publications Accessed or Distributed On Campus

For purposes of this section and the following section, a *publication* includes, without limitation: (1) written or electronic print material, (2) audio-visual material on any medium including electromagnetic media (e.g., images, digital files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, digital files, etc.) or online (e.g., any website, social networking site, database for information retrieval, etc.), or (3) information or material on electronic devices (e.g., text or voice messages delivered by cell phones, tablets, and other hand-held devices).

Creating, distributing, and/or accessing non-school sponsored publications shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the publication is endorsed by the School District.

Students are prohibited from creating, distributing, and/or accessing at school any publication that:

1. Will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. Violates the rights of others, including but not limited to material that is libelous, slanderous or obscene, invades the privacy of others, or infringes on a copyright;
3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by Board policy and Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use;
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. However, material from outside sources or the citation to such sources may be allowed, as long as the material to be distributed or accessed is primarily prepared by students; or
6. Incites students to violate any Board policies.

Accessing or distributing *on-campus* includes accessing or distributing on school property or at school-related activities. A student engages in gross disobedience and misconduct and may be disciplined for: (1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at school.

Non-School Sponsored Publications Accessed or Distributed Off-Campus

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing a publication that: (1) causes a substantial disruption or a foreseeable risk of a substantial disruption to school operations, or (2) interferes with the rights of other students or staff members.

Bullying and Cyberbullying

The Superintendent or designee shall treat behavior that is *bullying* and/or *cyberbullying* according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

LEGAL REF.:

105 ILCS 5/27-20.08 and 5/27-23.7.

105 ILCS 80/, Speech Rights of Student Journalists Act.

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).

Hazelwood v. Kuhlmeier, 484 U.S. 260 (1988).

Morse v. Frederick, 551 U.S. 393 (2007).

Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

CROSS REF.: 1:30 (School District Philosophy), 6:10 (Educational Philosophy and Objectives), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities)

Adopted: January 20, 2022

Leyden CHSD 212

7:325 Student Fundraising Activities

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

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

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

1. Fundraising efforts shall not conflict with instructional activities or programs.
2. For any school that participates in the School Breakfast Program or the National School Lunch Program, fundraising activities involving the sale of food and beverage items to students during the school day while on the school campus must comply with the Ill. State Board of Education rules concerning the sale of competitive food and beverage items.
3. Participation in fundraising efforts must be voluntary.
4. Student safety must be paramount, and door-to-door solicitations are discouraged.
5. For school-sponsored student organizations, a school staff member must supervise the fundraising activities and the student activity funds treasurer must safeguard the financial accounts.
6. The fundraising efforts must be to support the organization's purposes and/or activities, the general welfare, a charitable cause, or the educational experiences of students generally.
7. The funds shall be used to the maximum extent possible for the designated purpose.
8. Any fundraising efforts that solicit donor messages for incorporation into school property, e.g., tiles or bricks, or placement upon school property, e.g., posters or placards, must:
 - a. Develop viewpoint neutral guidelines for the creation of messages;
 - b. Inform potential donors that all messages are subject to review and approval, and that messages that do not meet the established guidelines must be resubmitted or the donation will be returned; and
 - c. Place a disclaimer on all fundraising information and near the completed donor messages that all messages are "solely the expression of the individual donors and not an endorsement by the District of any message's content."

LEGAL REF.:

105 ILCS 5/10-20.19(3).

23 Ill.Admin.Code Part 305, School Food Service.

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

Adopted: August 13, 2020

7:330 Student Use of Buildings - Equal Access

Student groups, clubs, or organizations that are not school sponsored or directed may meet on school premises provided their meeting fulfills all of the following conditions:

1. The meeting is held during those non-instructional times identified by the Superintendent or designee for noncurricular student groups, clubs, or organizations to meet. *Non-instructional time* means time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends. *Non-curricular student groups* are those student groups, clubs, or organizations that do not directly relate to the curriculum.
2. All non-curriculum related student groups that are not District sponsored receive substantially the same treatment.
3. The meeting is student-initiated, meaning that the request is made by a student(s).
4. Attendance at the meeting is voluntary.
5. The school will not sponsor the meeting.
6. School employees are present at religious meetings only in a non-participatory capacity.
7. The meeting and/or any activities during the meeting do not materially or substantially interfere with the orderly conduct of educational activities.
8. Non-school persons do not direct, conduct, control, or regularly attend the meetings.
9. The school retains its authority to maintain order and discipline.
10. The Superintendent or designee approves the meeting or series of meetings.

The Superintendent or designee shall develop administrative procedures to implement this policy.

LEGAL REF.:

20 U.S.C. §4071 et seq., Equal Access Act.

Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226 (1990).

Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 535 U.S. 1017.

CROSS REF.:6:190 (Illinois High School Association Extracurricular Activities-No Pass, No Play), 7:10 (Equal Education Opportunities), 8:20 (Community Use of School Facilities)

ADOPTED:June 19, 2008

Leyden CHSD 212

7:340 Student Records

School student records are confidential. Information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law.

State and federal law grants students, parents/guardians, and when applicable, the Ill. Dept. of Children and Family Services' Office of Education and Transition Services, certain rights, including the right to inspect, copy, and/or challenge school student records. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The District may release directory information as permitted by law, but a parent/guardian shall have the right to opt-out of the release of directory information regarding his or her child. The District will comply with State or federal law with regard to release of a student's school records, including, where applicable, without notice to, or the consent of, the student's parent/guardian or eligible student. Upon request, the District discloses school student records without parent consent to the official records custodian of another school in which a student has enrolled or intends to enroll, as well as to any other person as specifically required or permitted by State or federal law.

The Superintendent shall fully implement this policy and designate an *official records custodian* for each school who shall maintain and protect the confidentiality of school student records, inform staff members of this policy, and inform students and their parents/guardians of their rights regarding school student records.

Student Biometric Information Collection

The Superintendent or designee may recommend a student biometric information collection system solely for the purposes of identification and fraud prevention. Such recommendation shall be consistent with budget requirements and in compliance with State law. Biometric information means any information that is collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition or iris or retinal scans.

Before collecting student biometric information, the District shall obtain written permission from the person having legal custody/parental responsibility or the student (if over the age of 18). Upon a student's 18th birthday, the District shall obtain written permission from the student to collect student biometric information. Failure to provide written consent to collect biometric information shall not be the basis for refusal of any services otherwise available to a student.

All collected biometric information shall be stored and transmitted in a manner that protects it from disclosure. Sale, lease, or other disclosure of biometric information to another person or entity is strictly prohibited.

The District will discontinue use of a student's biometric information and destroy all collected biometric information within 30 days after: (1) the student graduates or withdraws from the School District, or (2) the District receives a written request to discontinue use of biometric information from the person having legal custody/parental responsibility of the student or the student (if over the age of 18). Requests to discontinue using a student's biometric information shall be forwarded to the Superintendent or designee.

The Superintendent or designee shall develop procedures to implement this policy consistent with State and federal law.

LEGAL REF.:

20 U.S.C. §1232g, Family Educational Rights and Privacy Act; 34 C.F.R. Part 99.

50 ILCS 205/7, Local Records Act.

105 ILCS 5/10-20.12b, 5/10-20.40, and 5/14-1.01 et seq.

105 ILCS 10/, Ill. School Student Records Act.

105 ILCS 85/, Student Online Personal Protection Act.

325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.

750 ILCS 5/602.11, Ill. Marriage and Dissolution of Marriage Act.

23 Ill.Admin.Code Parts 226 and 375.

Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002).

Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

Adopted: January 19, 2023

Leyden CHSD 212

7:342 Disclosure of Mental Health Records

For purposes of this policy, "mental health records" are defined as all documents, records and communications, whether oral or written, originating from mental health treatment providers and agencies, which are shared with the School District or School District personnel, regarding students currently enrolled in the District's educational programs.

Mental health records which are provided by parents or mental health treatment providers directly to a School District employee shall be deemed school student records upon receipt, and shall be managed in accordance with the requirements of Policy 7:340. Upon receipt of such records, school employees shall adhere to the following protocol:

1. When a school employee receives information about a student which constitutes a mental health record under this policy, the employee shall share such information with his/her building administrator within one (1) school day of receipt.
2. Records received which pertain to a student who is receiving accommodations or services under Section 504 of the Rehabilitation Act of 1973 (Section 504) or the Individuals with Disabilities Education Act (IDEA) shall be immediately shared with the case manager (of the Section 504 or IEP team) who has been assigned to the student.
3. Records which pertain to a student who is at imminent risk of harm shall be immediately provided to a building administrator. Situations where imminent risk of harm exists include, but are not limited to:
 - a. The information received indicates that the student is or may be at risk of harming himself or herself;
 - b. The information received indicates that the student is or may be at risk of harming another;
 - c. The information received requires the School District to consider the student's eligibility under Section 504 or IDEA;
 - d. The information received indicates that the student requires temporary accommodation or service not contemplated by Section 504 or IDEA but is required for the student's physical and emotional well-being in the school setting.

LEGAL REF.:Chicago Tribune Co. v. Chicago Bd. of Ed., 773 N.E.2d 674 (Ill.App.1, 2002).

Owasso I.S.D. No. I-011 v. Falvo, 122 S.Ct. 934 (2002).

Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.

Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17/1 et seq.

105 ILCS 5/10-20.21b, 20.37 and 20.40, 5/14-1.01 et seq. and 10/1 et seq.

50 ILCS 205/7.

23 Ill.Admin.Code §§226 and 375.

CROSS REF.:7:340 (Student Records)

ADOPTED:July 14, 2011

7:345 Use of Educational Technologies; Student Data Privacy and Security

Educational technologies used in the District shall further the objectives of the District's educational program, as set forth in Board policy 6:10, *Educational Philosophy and Objectives*, align with the curriculum criteria in policy 6:40, *Curriculum Development*, and/or support efficient District operations. The Superintendent shall ensure that the use of educational technologies in the District meets the above criteria.

The District and/or vendors under its control may need to collect and maintain data that personally identifies students in order to use certain educational technologies for the benefit of student learning or District operations.

Federal and State law govern the protection of student data, including school student records and/or *covered information*. The sale, rental, lease, or trading of any school student records or covered information by the District is prohibited. Protecting such information is important for legal compliance, District operations, and maintaining the trust of District stakeholders, including parents, students and staff. The Board designates the Director of Technology to serve as Privacy Officer, who shall ensure the District complies with the duties and responsibilities required of it under the Student Online Personal Protection Act, 105 ILCS 85/, amended by P.A. 101-516, eff. 7-1-21.

Definitions

Covered information means personally identifiable information (PII) or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's or parent/guardian's use of the operator's site, service or application; (2) created by or provided to an operator by an employee or agent of the District; or (3) gathered by an operator through the operation of its site, service, or application.

Operators are entities (such as educational technology vendors) that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes.

Breach means the unauthorized acquisition of computerized data that compromises the security, confidentiality or integrity of covered information maintained by an operator or the District.

Operator Contracts

The Superintendent or designee designates which District employees are authorized to enter into written agreements with operators for those contracts that do not require separate Board approval. Contracts between the Board and operators shall be entered into in accordance with State law and Board policy 4:60, *Purchases and Contracts*, and shall include any specific provisions required by State law.

Security Standards

The Superintendent or designee shall ensure the District implements and maintains reasonable security procedures and practices that otherwise meet or exceed industry standards designed to protect covered information from unauthorized access, destruction, use, modification, or disclosure. In the event the District receives notice from an operator of a breach or has determined a breach has occurred, the Superintendent or designee shall also ensure that the District provides any breach notifications required by State law.

LEGAL REF.:

20 U.S.C. §1232g, Family and Educational Rights and Privacy Act, implemented by 34 C.F.R. Part

99.

105 ILCS 10/, III. School Student Records Act.

105 ILCS 85/, Student Online Personal Protection Act.

23 III. Admin. Code Part 380.

CROSS REF.: 4:15 (Identity Protection), 4:60 (Purchases and Contracts), 6:235 (Access to Electronic Networks), 7:340 (Student Records)

Adopted: January 20, 2022

Leyden CHSD 212

SECTION 8 - COMMUNITY RELATIONS

Leyden CHSD 212

8:10 Connection with the Community

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

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

Adopted: April 30, 2020

Leyden CHSD 212

8:20 Community Use of School Facilities

Student groups and school-sponsored organizations are granted the use of school facilities at no costs during regularly staffed hours. Fees and costs shall apply during non-regularly staffed hours and to other organizations granted use of facilities at any time. A fee schedule and other terms of use shall be prepared by the Superintendent and be subject to annual approval by the Board. All non-school sponsored groups, before using the facilities during non-regularly staffed hours, must provide a certificate of insurance naming the District as an *additional insured* on primary and non-contributory basis. The use of school facilities for school purposes has precedence over all other uses. The District reserves the right to cancel previously scheduled use of facilities by community organizations and other groups. The use of school facilities requires the prior approval of the Superintendent or designee and is subject to applicable procedures.

Persons on school premises must abide by the District's conduct rules at all times.

LEGAL REF.:

20 U.S.C. §7905, Boy Scouts of America Equal Access Act.

10 ILCS 5/11-4.1, Election Code.

105 ILCS 5/10-20.41, 5/10-22.10, and 5/29-3.5.

Good News Club v. Milford Central School, 533 U.S. 98 (2001).

Lamb's Chapel v. Center Moriches Union Free School District, 508 U.S. 384 (1993).

Rosenberger v. Rector and Visitors of Univ. of Va., 515 U.S. 819 (1995).

CROSS REF.: 6:190 (Illinois High School Association Extracurricular Activities-No Pass, No Play), 7:330 (Student Use of Buildings - Equal Access), 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities), 8:30 (Visitors to and Conduct on School Property)

Adopted: May 18, 2023

Leyden CHSD 212

8:25 Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

No material or literature shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent. No material, literature, or advertisement shall be posted or distributed without advance approval as described in this policy.

Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may advertise events pertinent to students' interests or involvement by requesting that their advertisements be displayed on the Community Bulletin Boards at each campus. All material and literature must be student-oriented and have the sponsoring organization's name prominently displayed.

All advertisements must (1) be student-oriented, (2) prominently display the sponsoring organization's name, and (3) be approved in advance by the Superintendent or designee. The District reserves the right to decide where and when any advertisement or flyer is distributed, displayed, or posted.

LEGAL REF.:

Lamb's Chapel v. Center Moriches Union Free Sch. Dist., 508 U.S. 384 (1993).

Berger v. Rensselaer Central Sch. Corp., 982 F.2d 1160 (7th Cir. 1993), cert. denied, 113 S.Ct. 2344 (1993).

Sherman v. Community Consolidated Sch. Dist. 21, 8 F.3d 1160 (7th Cir. 1993), cert. denied, 8 F.3d 1160 (1994).

Hedges v. Wauconda Community Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), cert. denied, 565 U.S. 1036 (2011).

DiLoreto v. Downey Unified Sch. Dist., 196 F.3d 958 (9th Cir. 1999).

CROSS REF.:7:325 (Student Fundraising Activities), 7:330 (Student Use of Buildings - Equal Access)

ADOPTED:August 15, 2013

Leyden CHSD 212

8:30 Visitors to and Conduct on School Property

For purposes of this policy, "school property" means school buildings, District buildings not being used as a school, parking areas, vehicles used for school purposes, any location during a school athletic and other school-sponsored or school-sanctioned events or activities, and school grounds.

Visitors are welcome on school property, provided their presence will not be disruptive. All visitors must initially report to the main entrance security desk. Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher's conference/preparation period.

Requests to access a school building, facility, and/or educational program, or to interview personnel or a student for purposes of assessing the student's special education needs, should be made at the appropriate building. Access shall be facilitated according to guidelines from the Superintendent or designee.

The School District expects mutual respect, civility, and orderly conduct among all individuals on school property or at a school event. No person on school property or at a school event shall perform any of the following acts:

1. Injure, threaten, harass, or intimidate a staff member, Board of Education member, sports official or coach, or any other person.
2. Damage or threaten to damage another's property.
3. Damage or deface School District property.
4. Unless specifically permitted by State law, possess a weapon, any object that can reasonably be considered a weapon or looks like a weapon, or any dangerous device.
5. Violate any Illinois law, or town or county ordinance.
6. Smoke or otherwise use tobacco products.
7. Distribute, consume, use, possess, or be impaired by or under the influence of an alcoholic beverage, cannabis, other lawful product, or illegal drug.
8. Be present when the person's alcoholic beverage, cannabis, other lawful product, or illegal drug consumption is detectible, regardless of when and/or where the use occurred.
9. Use or possess medical cannabis, unless he or she has complied with policy 7:270, *Administering Medicines to Students*, implementing *Ashley's Law*.
10. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner).
11. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board of Education.
12. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized District employee's directive.
13. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding.
14. Violate other District policies or regulations, or an authorized District employee's directive.

Convicted Child Sex Offender

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

1. The offender is a parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference with

school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or

2. The offender received permission to be present from the Board, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent, or designee who is a certified employee, shall supervise a child sex offender whenever the offender is in a child's vicinity.

Exclusive Bargaining Representative Agent

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

Enforcement

Any staff member may request identification from any person on school grounds or in any school building; refusal to provide such information is a criminal act. The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

As circumstances warrant, the Superintendent or designee shall take appropriate action to enforce this policy including requesting the person to immediately leave school property, contacting law enforcement, and seeking to deny future admission to school events or meetings according to provisions in Board policy 8:40, *Spectator Conduct at School Events*.

LEGAL REF.:

Nuding v. Cerro Gordo Community Unit School Dist., 313 Ill. App.3d 344 (4th Dist. 2000).

20 U.S.C. §7181 et seq., Pro-Children Act of 1994.

105 ILCS 5/10-20.5b, 5/22-33, 5/24-25, and 5/27-23.7(a).

115 ILCS 5/3(c), Ill. Educational Labor Relations Act.

410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.

430 ILCS 66/, Firearm Concealed Carry Act.

410 ILCS 705/, Cannabis Tax and Regulation Act.

720 ILCS 5/11-9.3.

CROSS REF.: 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Volunteers), 7:190 (Student Behavior), 7:270 (Administering Medicines to Students), 8:20 (Community Use of School Facilities), 8:40 (Spectator Conduct at School Events)

Adopted: April 30, 2020

8:32 Complimentary Admission to Retirees of the District (C.A.R.D. Club)

Through C.A.R.D. Club, the Board wishes to bring the benefits of the high school program to retired citizens of the district.

Each member of the C.A.R.D. Club will receive a card providing complimentary admission to all school-sponsored athletic contests, plays, concerts, and similar events held at either East or West Leyden High School. A special membership card will be mailed to these senior citizens, and school records will be kept of the membership.

Membership is available to any district resident age 65 or older and those retired from active employment who are 62 years of age or older. In case one spouse is age 62 and the other spouse is younger, the younger is also eligible for C.A.R.D. membership if retired from paid employment. Request for membership will be made on a form furnished by the Administration. These forms, requesting birthdate and other information, will not be open to the public.

Completely Disabled or Handicapped Residents are also entitled to the above benefits. Evidence of complete disability can be established by presenting the Social Security Benefits' Card, Medicare Card, or Veterans' Administration form letter, or similar verification.

ADOPTED: March 15, 2018

Leyden CHSD 212

8:40 Spectator Conduct at School Events

Any individual, including an adult, who behaves in an unsportsmanlike or disruptive manner during any school event or meeting, including Board meetings, may be ejected from the event or meeting. The individual is also subject to being denied admission to school events or meetings for up to one calendar year, provided the procedures contained in this policy are followed. Examples of unsportsmanlike or disruptive conduct includes, but are not limited to:

Using vulgar or obscene language

Possessing or being under the influence of any alcoholic beverage or illegal substance

Possessing a weapon, or any object that can reasonably be considered, or looks like, a weapon

Fighting or otherwise striking or threatening another person

Failing to obey the instructions of a security officer or School District employee

Engaging in any activity that is illegal or disruptive

Procedures to Deny Future Admission to School Events or Meetings

Before any individual may be denied admission to school events or meetings as provided in this policy, the individual has a right to a hearing before the Board. The Superintendent or designee must provide the individual with a hearing notice, delivered or sent by certified mail with return receipt requested, at least 10 days before the Board of Education hearing date. The hearing notice must contain:

1. The date, time, and place of the Board hearing,
2. A description of the unsportsmanlike or disruptive conduct,
3. The proposed time period that admission to school events will be denied, and
4. Instructions on how to waive a hearing.

LEGAL REF.:105 ILCS 5/24-24.

Nuding v. Cerro Gordo Community Unit School Dist., 730 N.E.2d 96 (Ill.App. 4, 2000).

CROSS REF.:8:30 (Visitors to and Conduct on School Property)

ADOPTED:June 19, 2008

8:70 Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities as those without disabilities and will not be subject to illegal discrimination. When appropriate, the District may provide to persons with disabilities, reasonable aids, benefits, or services that are separate or different from, but as effective as, those provided to others.

The Superintendent or designee is designated the Title II Coordinator and shall:

1. Oversee the District's compliance efforts, recommend necessary modifications to the School Board, and maintain the District's final Title II self-evaluation document, update it to the extent necessary, and keep it available for public inspection for at least three years after its completion date.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or Building Principal if they have a disability that will require special assistance or services and, if so, what services are required. This notification should occur as far in advance as possible of the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

LEGAL REF.:

Americans with Disabilities Act, 42 U.S.C. §§12101 et seq. and 12131 et seq.; 28 C.F.R. Part 35.

Rehabilitation Act of 1973 §104, 29 U.S.C. §794 (2006).

105 ILCS 5/10-20.51.

410 ILCS 25/, Environmental Barriers Act.

71 Ill.Admin.Code Part 400, Illinois Accessibility Code.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Building Programs)

Adopted: May 18, 2023

8:90 Parent Organizations and Booster Clubs

Parent organizations and booster clubs are invaluable resources to the District's schools. While parent organizations and booster clubs have no administrative authority and cannot determine District policy, the Board of Education welcomes their suggestions and assistance.

Parent organizations and booster clubs may be recognized by the Board and permitted to use the District's name, a District school's name, or a District school's team name, or any logo attributable to the District provided they first receive the Superintendent or designee's express written consent. Consent to use one of the above-mentioned names or logos will generally be granted if the organization or club has by-laws containing the following:

1. The organization's or club's name and purpose, such as, to enhance students' educational experiences, to help meet educational needs of students, to provide extra athletic benefits to students, to assist specific sports teams or academic clubs through financial support, or to enrich extracurricular activities.
2. The rules and procedures under which it operates.
3. An agreement to adhere to all Board policies and administrative procedures.
4. A statement that membership is open and unrestricted, meaning that membership is open to all parents/guardians of students enrolled in the school, District staff, and community members.
5. A statement that the District is not, and will not be, responsible for the organization's or club's business or the conduct of its members, including on any organization or club websites or social media accounts.
6. An agreement to maintain and protect its own finances.
7. A recognition that money given to a school cannot be earmarked for any particular expense. Booster clubs may make recommendations, but cash or other valuable consideration must be given to the District to use at its discretion. The Board of Education's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supersede an organization or club's recommendation.

Permission to use one of the above-mentioned names or logos may be rescinded at any time and does not constitute permission to act as the District's representative. At no time does the District accept responsibility for the actions of any parent organization or booster club regardless of whether it was recognized and/or permitted to use any of the above-mentioned names or logos. The recognized liaison will serve as a resource person and provide information about school programs, resources, policies, problems, concerns, and emerging issues. Building staff will be encouraged to participate in the organizations.

CROSS REF.: 8:80 (Gifts to the District)

Adopted: September 16, 2021

Leyden CHSD 212

8:95 Parental Involvement

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

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

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

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

Adopted: April 25, 2019

Leyden CHSD 212

8:110 Public Suggestions and Concerns

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

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

LEGAL REF.:

115 ILCS 5/14(c-5), Ill. Educational Labor Relations Act.

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

Adopted: April 30, 2020

Leyden CHSD 212

