**GOVERNING BOARD/EXECUTIVE COUNCIL OF**

**THE VERMILION ASSOCIATION FOR SPECIAL EDUCATION**

**POLICY MANUAL**

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July 2013 1:10

# Organization

## 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 joint

agreements of various types for the purpose of providing special education services to children

with disabilities. The Vermilion Association for Special Education Joint Agreement is governed by such mandates.

Special education programs and/or services shall be developed in accordance with The Illinois

Rules and Regulations to Govern the Organization and Administration of Special Education as

promulgated under the constitutional authority of the State of Illinois and the Office of the

Illinois State Board of Education.

Consistent with 105 ILCS 5/10-22.31, the Vermilion Association for Special Education Governing Board/Executive Council shall serve as the administrative and legal entity for the Special Education District. The Governing Board/Executive Council 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.

105 ILCS 5/10-22.31

CROSS REF.: 2:10 (School District Governance), 2:20 (Powers and Duties of the School Governing Board/Executive Committee)

ADOPTED: SEPTEMBER 3, 2013

July 2013 1:20

# Organization

## Cooperative Organization, Operations, and Cooperative Agreements

The Cooperative is organized under the Vermilion Association for Special Education Joint Agreement and participates in joint programs and intergovernmental agreements with additional units of local government 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 Cooperative, Districts, and the community. Vermilion Association for Special Education (hereafter VASE) is the duly designated legal and fiscal agent of the Joint Agreement.

The Director or his/her designee will maintain current copies of the Cooperative Agreement with each member school district and/or educational agency in the VASE office.

LEGAL REF.: Ill. Constitution, Art. VII, Sec. 10.

5 ILCS 220/1 et seq.

23 Ill. Admin. Code §1.210

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July 2013 1:30

# Organization

**Cooperative Philosophy**

VASE believes that our overall mission is to foster positive outcomes for children with disabilities, focusing upon student achievement and well-being. The high quality,

effective and equitable services and programs provided to the member districts shall meet the

needs of each child in the least restrictive environment while equipping students to function

independently in school, local and world communities.

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VASE member districts provide a multi-faceted continuum of services that is designed to meet the educational needs of exceptional children who are manifesting many different kinds of learning and other disabilities. Special education placements are made with the specific goal of helping each individual achieve up to his potential. Services are individually designed to help the student develop those competencies that will enable him/her to be kept as close to the regular classroom programs as possible. To this end, special education services as much as possible are seen as short-term services with regular reviews of each student’s program.

The Individuals With Disabilities Education Act of 2004 (hereafter “IDEA”), mandates full educational opportunities to all children ages 3 to 21 and require annual notification of all parents and residents of the rights of exceptional children. Parents and residents of VASE member districts should be aware of the special education programs and services available in or through the public school districts.

The purpose of this manual is to acquaint all concerned with the purpose, philosophy, organization and policies of VASE. The following written policies provide the framework for operation of VASE. This document will assist member districts and VASE in efficiently providing high quality special education programs and services for the children and young adults of VASE member districts.

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:10

# Agency Governance

**Governance - Governing Board**

The responsibility for governance of this Joint Agreement is vested by the member school districts in a Governing Board which shall carry out the purposes of the Cooperative. VASE is governed by the Vermilion Association for Special Education Governing Board composed of one member of the Board of Education of each Member District. No school board member who is gainfully employed by VASE or who is employed by a member school district may be appointed by a member school district to the Governing Board. Each member district shall also designate a member of its Board of Education to serve as an alternate who may serve as the Cooperative’s representative on the Governing Board in the event of the absence of the Cooperative’s designation representative. Governing Board members shall not receive salary or other compensation from VASE. The Governing Board’s powers and duties include the broad authority to adopt and enforce all necessary policies for the management and government of the Joint Agreement.

Official action by the Governing Board may only occur at a duly called and legally conducted meeting at which a quorum is physically present.

Governing Board members, as individuals, have no authority over school affairs, except as provided by law or as authorized by the Governing Board.

**Governance-Executive Council**

The Governing Board shall appoint an Executive Council which shall serve as an advisory body to the Governing Board, and which shall have the authority to direct the ongoing operations of the Joint Agreement within the annual budget, the directives, policies and rules of the Governing Board, and in accordance with the terms of the Joint Agreement. The Executive Council shall also have such other and further authorities as may be delegated by the Governing Board to the Executive Council from time to time. The Governing Board may designate any and all administrative duties to the Executive Council, including,

but not limited to those duties enumerated in Joint Agreement, but shall retain all authority for the operation of the Joint Agreement, and shall have the power to over-rule actions taken by the Executive Council.

The Executive Council shall consist of the appointed Superintendents of Member Districts (or his/her authorized designee). The Executive Council shall meet regularly, and at least monthly, and shall elect its own officers and establish procedures for the conduct of its meeting and business.

A quorum shall consist of a majority of the Executive Council. Meetings shall adhere to the Open Meetings Act. Special meetings may be called by the presiding chairperson or any two council members upon 48 hours written notice to the other council members. Measures shall be deemed passed when approved by a majority of those Executive Council members present who vote on an issue. Each member shall have one vote. An abstention shall not be considered a vote. A member of the Executive Council may act at a meeting through a designee, if authorized, in writing, by the Executive Council member. The attendance of a designee at a meeting shall not be counted in determining whether a quorum of members is present.

OFFICERS:

Annually, the Executive Council shall appoint, by a majority vote of those attending a duly called meeting, a Chairperson and Secretary. The Chairperson and Secretary’s term shall be for one year and coincide with VASE’s fiscal year..

Protection of Council

The Governing Board indemnifies and protects all Executive Council Members against civil rights damage claims and suits; constitutional rights damage and claims and suits; death, bodily injury, and property damage claims and suits; including defense thereof, where damages are sought for negligent or wrongful acts alleged to have been committed in the scope of performing the governance duties delegated to members of the Executive Council by the VASE Governing Board.

LEGAL REF.: 5 ILCS 120/1.02.

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

CROSS REF.: 1:10 (Joint Agreement Legal Status), 2:20 (Powers and Duties of the

Governing Board/Executive Committee), 2:200 (Types of Governing Board/Executive Council Meetings), 2:220 (Governing Board/Executive Council Meeting Procedures)

ADOPTED: SEPTEMBER 3, 2013

July, 2013 2:20

# Agency Governance

## Powers and Duties of the Governing Board/Executive Council

The major powers and duties of the Governing Board/Executive Council include, but are not limited to:

1. Formulating, adopting, and modifying Governing Board/Executive Council policies, at its sole discretion, subject only to mandatory collective bargaining agreements and State and federal law.
2. Employing a Director and other personnel, making employment decisions, including the right to hire, discipline, dismiss, promote, assign, or transfer employees, and establishing an equal employment opportunity policy that prohibits unlawful discrimination.
3. Directing, through policy, the Director, in his or her charge of the Cooperative’s administration.
4. Approving the annual budget, major expenditures, payment of obligations, annual audit, and other aspects of the Cooperative’s financial operation; and making available a statement of financial affairs as provided in State law.
5. Entering contracts using the public bidding procedure when required.
6. Indemnifying, protecting, and insuring against any loss or liability of the Cooperative, Governing Board/Executive Council members, employees, and agents as provided or authorized by State law.
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 educational programs and services offered by VASE.
10. Establishing and supporting student discipline policies designed to maintain an environment conducive to learning.
11. Establishing the school year.
12. Entering into joint agreements with other Governing Board/Executive Committees and agencies to establish cooperative educational programs or provide educational facilities.
13. Complying with requirements in the Abused and Neglected Child Reporting Act. Specifically, each individual Governing Board/Executive Councilmember must, if an allegation is raised to the member during an open or closed Governing Board/Executive Council meeting that a student is an abused child as defined in the Act, direct or cause the Governing Board/Executive Council to direct the Director or other equivalent school administrator to comply with the Act’s requirements concerning the reporting of child abuse.
14. Communicating the Cooperative’s activities and operations to the District and representing the needs and desires of the District in educational matters.
15. Negotiate, subject to ratification by the Governing Board/Executive Committee, on behalf of the Joint Agreement, collective bargaining agreements with sole and exclusive bargaining agents, as certified by the Illinois Educational Labor Relations Governing Board/Executive Council in respect to all persons employed by the Joint Agreement.
16. Ratify any such negotiated agreement.
17. Appoint and elect any officers and any committees such as are needed to insure effective governance and oversight of the Cooperative.
18. Acquiring real and personal property by lease or purchase, as necessary to carry out

 the Governing Board/Executive Committee’s purpose and duties.

LEGAL REF.: 105 ILCS 5/2-3.25d, 5/10-1 et seq., 5/17-1, and 5/27-1.

115 ILCS 5/1 et seq.

325 ILCS 5/4.

CROSS REF.: 1:10 (School District Legal Status), 1:20 (District Organization, Operations, and Cooperative Agreements), 2:10 (School District Governance), 2:80 (Governing Board/Executive Council Member Oath and Conduct), 2:140 (Communications To and From the Governing Board/Executive Committee), 2:240 (Governing Board/Executive Council 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), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 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 Discipline), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:100

# Agency Governance

## Governing Board/Executive Council Member Conflict of Interest

No member of either the Governing Board or the Executive Council shall have a beneficial interest directly or indirectly in any contract, work, or business of the Joint Agreement unless permitted by state law

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Governing Board/Executive Council members must annually file a *Statement of Economic Interests* as required by the Illinois Governmental Ethics Act. Each Governing Board/Executive Council member is responsible for filing the statement with the county clerk by May 1.

LEGAL REF.: 5 ILCS 420/4A-101, 420/4A-105, 420/4A-106, and 420/4A-107.50 ILCS 105/3.105 ILCS 5/10-9.

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:105

# Agency Governance

## Ethics and Gift Ban

Prohibited Political Activity

The following precepts govern political activities being conducted by Cooperative employees and members of either the Governing Board or the Executive Council:

1. No employee shall intentionally perform any “political activity” during any “compensated time,” as those terms are defined herein.
2. No Governing Board/Executive Council member or employee shall intentionally use any Cooperative property or resources in connection with any political activity.
3. At no time shall any Governing Board/Executive Council member or employee intentionally require any other Governing Board/Executive Council member or employee to perform any political activity: (a) as part of that Governing Board/Executive Council 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 Governing Board/Executive Council member or employee shall be required at any time to participate in any political activity in consideration for that Governing Board/Executive Council 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 Governing Board/Executive Council member or employee be awarded additional compensation or any benefit in consideration for his or her participation in any political activity.

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

Limitations on Receiving Gifts

Except as permitted by this policy, no Governing Board/Executive Council member or employee, and no spouse of or immediate family member living with any Governing Board/Executive Council 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 available on the same conditions as for the general public.
2. Anything for which the Governing Board/Executive Council 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 fund-raising 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 Governing Board/Executive Councilmembers 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 Governing Board/Executive Councilmember or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Governing Board/Executive Councilmember 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 Governing Board/Executive Councilmember or employee from another Governing Board/Executive Councilmember or employee, and “inter-governmental gift” means any gift given to a Governing Board/Executive Councilmember or employee by 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 Governing Board/Executive Councilmember or employee, his or her spouse or an immediate family member living with the Governing Board/Executive Councilmember 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 Section 501(c)(3) of the Internal Revenue Code.

Enforcement

The Governing Board/Executive Council Chairperson and Director shall seek guidance from the Governing Board/Executive Council attorney concerning compliance with and enforcement of this policy and State ethics laws. The Governing Board/Executive Council may, as necessary or prudent, appoint an Ethics Advisor for this task.

Written complaints alleging a violation of this policy shall be filed with the Director or Governing Board/Executive Council Chairperson. If attempts to correct any misunderstanding or problem do not resolve the matter, the Director or Governing Board/Executive Council Chairperson shall, after consulting with the Governing Board/Executive Council attorney, either place the alleged violation on a Governing Board/Executive Council meeting agenda for the Governing Board/Executive Committee’s disposition or refer the complainant to Governing Board/Executive Council policy 2:260, *Uniform Grievance Procedure*. A Governing Board/Executive Council member who is related, either by blood or by marriage, up to the degree of first cousin, to the person who is the subject of the complaint, shall not participate in any decision-making capacity for the Governing Board/Executive Committee. If the Governing Board/Executive Council finds it more likely than not that the allegations in a complaint are true, it shall notify the State’s Attorney and/or consider disciplinary action for the employee.

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 Cooperative 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 Governing Board/Executive Council member, or (b) an employee, or by the Governing Board/Executive Council member or another employee directing that employee;
2. Does business or seeks to do business with: (a) a Governing Board/Executive Council member, or (b) an employee, or with the Governing Board/Executive Council member or another employee directing that employee;
3. Conducts activities regulated by: (a) a Governing Board/Executive Council member, or (b) an employee or by the Governing Board/Executive Council member or another employee directing that employee; or
4. Has an interest that may be substantially affected by the performance or non-performance of the official duties of the Governing Board/Executive Council member or employee.

“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 Governing Board/Executive Council member or employee.

LEGAL REF.: 5 ILCS 430/1-1 et seq.

10 ILCS 5/9-25.1.

CROSS REF.: 5:120 (Ethics and Conduct)

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:110

# Agency Governance

## Qualifications, Term, and Duties of Governing Board/Executive Council Officers

The Governing Board and Executive Council officers are Chairperson and Secretary, who shall be elected annually.

Chairperson

The duties of the Chairperson are to:

1. Focus the Governing Board/Executive Council meeting agendas on appropriate content and preside at all meetings;
2. Make all Governing Board/Executive Council committee appointments, unless specifically stated otherwise;
3. Attend and observe any Governing Board/Executive Council committee meeting at his or her discretion;
4. Represent the Governing Board/Executive Council on other Governing Board/Executive Committees or agencies;
5. Sign official Cooperative/Executive Council documents requiring the Chairperson’s signature, including official minutes;
6. Call special meetings of the Governing Board/Executive Committee/Executive Council;
7. Serve as the *head of the public body* for purposes of the Open Meetings Act and Freedom of Information Act;
8. Ensure that a quorum of the Governing Board/Executive Council is physically present at all Governing Board/Executive Council meetings; and
9. Serve as the Governing Board/Executive Council’s official spokesperson to the media.

The Chairperson is permitted to participate in all Governing Board/Executive Council meetings in a manner equal to all other Governing Board/Executive Council members, including the ability to make and second motions.

Secretary

The secretary may be, but is not required to be, a Governing Board/Executive Council member. The duties of the Secretary are to:

1. Keep minutes for all Governing Board/Executive Council meetings and keep the verbatim record for all closed Governing Board/Executive Council meetings;
2. Keep records of the Governing Board/Executive Council’s official acts, and sign them, along with the President, before submitting them to the Treasurer at such times as the Treasurer may require;
3. Report to the Treasurer on or before July 7, annually, such information as the Treasurer is required to include in the Treasurer’s report to the Regional Superintendent;
4. Sign official Cooperative documents requiring the Secretary’s signature.

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

LEGAL REF: 5 ILCS 120/7 and 420/4A-106.

105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8, 5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, and 5/17-1.

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:125

# Agency Governance

## Governing Board/Executive Council Member Expenses

No Governing Board/Executive Council member may receive compensation for services,

The Governing Board/Executive Council may advance or reimburse members the actual and necessary expenses incurred while attending:

1. Meetings sponsored by the Illinois State Board of Education or by the Regional Superintendent of Schools;
2. County or regional meetings and the annual meeting sponsored by any Governing Board/Executive Council association complying with Article 23 of The School Code; and
3. Meetings sponsored by an organization in the field of public school education.

Expense reimbursement is not guaranteed and Governing Board/Executive Council members should seek pre-approval of expenses, except in situations when the expense is diminutive. A Governing Board/Executive Council member must return to the Cooperative any portion of an expense advance not used. Members must submit an itemized, signed voucher to support any expense advanced or to seek expense reimbursement. The voucher must show the amount of actual expense, attaching receipts if possible. Money shall not be advanced or reimbursed for: (1) the expenses of any person except the Governing Board/Executive Council member, or (2) anyone’s personal expenses.

The Director shall review the submitted vouchers for compliance with this policy. If any voucher’s compliance appears uncertain, the Director shall notify the Governing Board/Executive Council Chairperson or Secretary if the voucher in question is from the Chairperson, as well as the Governing Board/Executive Council member who submitted the voucher. The Director shall include the voucher in the monthly list of bills that is presented to the Governing Board/Executive Council for approval or rejection.

Registration

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

Transportation

The least expensive transportation will be used, providing that no hardship will be caused to the Governing Board/Executive Council member. Governing Board/Executive Council 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. The emergency circumstances must be explained on the expense voucher. Copies of airline tickets must be attached to the expense voucher.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets will be attached to the expense voucher 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 voucher.
5. Taxis, airport limousines, or other local transportation costs.

Hotel/Motel Charges

Governing Board/Executive Council members should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Governing Board/Executive Council members should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense voucher.

Meal Charges

Meal charges to the Cooperative shall not exceed the per diem as set by the Cooperative.

Miscellaneous Expenses

Governing Board/Executive Council members may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense voucher, attaching receipts if possible.

LEGAL REF.: 105 ILCS 5/10-22.32.

CROSS REF.: 2:100 (Governing Board/Executive Council Member Conflict of Interest), 2:120 (Governing Board/Executive Council Member Development), 4:50 (Payment Procedures)

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:140

# Agency Governance

## Communications To and From the Governing Board and the Executive Council

Staff members, Governing Board/Executive Council members, parents, and community members should submit questions or communications to the Governing Board/ Executive Council’s consideration to the Director. The Director shall provide the Governing Board/Executive Council with a summary of these questions or communications and provide, as appropriate, his or her feedback regarding the matter. If contacted individually, Governing Board/Executive Council members will refer the person to the appropriate level of authority, except in unusual situations. Governing Board/Executive Council members will not take private action that might compromise the Governing Board/Executive Council or Cooperative. There is no expectation of privacy for any communication sent to the Governing Board/Executive Council or its members individually, whether sent by letter, email, or other means.

Governing Board/Executive Council Member Use of Electronic Mail

Email to, by, and among Governing Board/Executive Council members, in their capacity as Governing Board/Executive Council members, shall not be used for the purpose of discussing Cooperative business. Email among Governing Board/Executive Council members shall be limited to: (1) disseminating information, and (2) messages not involving deliberation, debate, or decision-making. Email may contain:

1. Agenda item suggestions
2. Reminders regarding meeting times, dates, and places
3. Governing Board/Executive Council meeting agendas or information concerning agenda items
4. Individual responses to questions posed by community members, subject to the other limitations in this policy

LEGAL REF.: 5 ILCS 120/1 et seq.

CROSS REF.: 2:220 (School Governing Board/Executive Council Meeting Procedure), 3:30 (Chain of Command), 8:110 (Public Suggestions and Complaints)

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:150

# Agency Governance

## Governing Board/Executive Council Committees

The Governing Board/Executive Council may establish committees to assist with the Governing Board/Executive Committee’s governance function. The chairperson makes all Governing Board/Executive Council committee appointments unless specifically stated otherwise. Governing Board/Executive Council committee meetings shall comply with the Open Meetings Act.  A Governing Board/Executive Council committee may not take final action on behalf of the Governing Board/Executive Council– it may only make recommendations to the Governing Board/Executive Council.

Special Committees of the Governing Board/Executive Council

A special committee may be created for specific purposes or to investigate special issues. A special committee is automatically dissolved after presenting its final report to the Governing Board/Executive Council or at the Governing Board/Executive Council’s discretion.

Standing Committees of the Governing Board/Executive Council

A standing committee is created for an indefinite term although its members will fluctuate. Standing committees are:

1. Steering.
2. Finance.
3. Building and Grounds.
4. Personnel

Nothing in this policy limits the authority of the Director or designee to create and use committees that report to him or her or to other staff members.

LEGAL REF.: 5 ILCS 120.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Governing Board/Executive Council Officers), 2:200 (Types of School Governing Board/Executive Council Meetings), 2:240 (Governing Board/Executive Council Policy Development), 7:190 (Student Discipline), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:170

# Agency Governance

## Procurement of Architectural, Engineering, and Land Surveying Services

The Governing Board/Executive Council selects architects, engineers, and land surveyors to provide professional services to the Cooperative on the basis of demonstrated competence and qualifications, and in accordance with State law.

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

40 U.S.C. §541.

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

105 ILCS 5/10-20.21.

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:190

# Agency Governance

## Mailing Lists for Receiving Governing Board/Executive Council Material

The Director shall maintain a mailing list of the people who have filed a written request to receive any of the items listed below. Those persons shall be mailed copies of the following, provided they have pre-paid the subscription fee, pro-rated if subscribing less than one year:

Governing Board/Executive Council Agenda

Budgets

Audits

Official Governing Board/Executive Council minutes (mailed within 10 days after approval)

The Director shall annually set the subscription fee in an amount sufficient to cover reproduction and mailing costs. The subscription period shall be the same as the VASE fiscal year.

LEGAL REF.: 105 ILCS 5/10-21.6.

CROSS REF.: 2:220 (School Governing Board/Executive Council Meeting Procedure)

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:200

# Agency Governance

## Types of Governing Board/Executive Council Meetings

General

For all meetings of the Governing Board/Executive Council and its committees, the Director 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 Governing Board/Executive Council. Governing Board/Executive Council policy 2:220, *School Governing Board/Executive Council Meeting Procedure*, governs meeting quorum requirements.

The Director is designated on behalf of the Governing Board/Executive Council and each Governing Board/Executive Council committee to receive the training on compliance with the Open Meetings Act that is administered by the Illinois Attorney General’s Public Access Counselor. The Director may identify other employees to receive the training. Each Governing Board/Executive Councilmember is encouraged to take the training once during his or her term.

Regular Meetings

The Governing Board/Executive Council announces the time and place for its regular meetings at the beginning of each fiscal year.  The Director shall prepare and make available the calendar of regular Governing Board/Executive Council meetings. Meeting dates may be changed with 10 days’ notice in accordance with State law.

A meeting agenda shall be posted at the VASE main office at least 48 hours before the meeting. Any and all items of business requiring Governing Board/Executive Council action must be posted 48 hours in advance of the meeting, or otherwise as specified in applicable code. Items that are only for discussion or informational purposes may be added to the agenda by proper motion and Governing Board/Executive Council approval.

Closed Meetings

The Governing Board/ Executive Council, or any of the committees organized by either body may meet in a closed meeting to consider the following subjects:

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. 5 ILCS 120/2(c)(1).
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. 5 ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
8. Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8).
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 Governing Board or Executive Council 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 Governing Board/Executive Council 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: SEPTEMBER 3, 2013 when such meetings will involve the same particular matters and are scheduled to be held within 3 months of the vote.

No final Governing Board/Executive Council 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 Chairperson or by any 3 members of the either the Governing Board/Executive Council or Executive Council by giving notice thereof, in writing, stating the time, place, and purpose of the meeting to remaining Governing Board/Executive Council members by mail or electronically 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 VASE 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.

No matters will be discussed, considered, or brought before the Governing Board/Executive Council at any special meeting other than such matters as were included in the stated purpose of the meeting.

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 Cooperative Website

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

LEGAL REF.: 5 ILCS 120/, Open Meeting Act.

5 ILCS 140/, Freedom of Information Act.

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

CROSS REF.: 2:210 (Organizational School Governing Board/Executive Council Meetings), 2:220 (School Governing Board/Executive Council Meeting Procedure), 2:230 (Public Participation at School Governing Board/Executive Council Meetings and Petitions to the Governing Board/Executive Committee), 6:235 (Access to Electronic Networks

ADOPTED: SEPTEMBER 3, 2013

July 2011 2:200-AP

# Agency Governance

## Administrative Procedure - Types of Governing Board/Executive Council Meetings

| **Meeting Type** | **Public Notice** | **Notice to Governing Board/ Executive Council Members** | **Agenda** | **Notice to News Media** | **Cooperative Website**  |
| --- | --- | --- | --- | --- | --- |
| **Regular** | Given once a year when the Governing Board/Executive Council adopts its regular meeting schedule.5 ILCS 120/2.02.105 ILCS 5/10-6, 5/10-16. | None required. | Post at the Cooperative’s main office at least 48 hours before the meeting.5 ILCS 120/2.02. | Give to any news media that filed an annual request for such notices.5 ILCS 120/2.02. | Post the annual schedule of regular meetings and post a public notice of each meeting along with the meeting agenda. 5 ILCS 120/2.02.Post regular Governing Board/Executive Council meeting minutes within 7 days after approval; the minutes remain there for at least 60 days.5 ILCS 120/2.06. |
| **Special** | Post a notice at the Cooperative’s main office at least 48 hours before the meeting. 5 ILCS 120/2.02. | Notice served by mail 48 hours before the meeting or by personal service 24 hours before the meeting.105 ILCS 5/10‑16. | Include with the public notice.5 ILCS 120/2.02. | Give to any news media that files an annual request. Must also give the same notice as that given Governing Board/Executive Council members if the news media provides an address or telephone number within the Cooperative’s jurisdiction. 5 ILCS 120/2.02. | Post a public notice of each meeting along with the meeting agenda, at least 48 hrs before the meeting. The notice and agenda must remain posted on the website until the meeting is concluded.5 ILCS 120/2.02. |
| **Emergency** | Post the notice at the Cooperative’s main office as soon as practicable before the meeting.5 ILCS 120/2.02. | None specified, but advisable to provide the same notice as for a special meeting. | No State law requirements. | Same as for special meetings. | Post a public notice. 5 ILCS 120/2.02. |

July 2013 2:220

# Agency Governance

## Governing Board/Executive Council Meeting Procedure

Agenda

The Chairperson of either the Governing Board or the Executive Council is responsible for focusing the meeting agendas on appropriate content.  The Director shall prepare agendas in consultation with the Chairperson. The Chairperson shall designate a portion of the agenda as a consent agenda for those items that usually do not require discussion or explanation before Governing Board/Executive Council action. Upon the request of any Governing Board/Executive Council member, an item will be withdrawn from the consent agenda and placed on the regular agenda for independent consideration.

Items submitted by Governing Board or Executive Council members to the Director or the Chairperson shall be placed on the agenda for an upcoming meeting. Member district residents may suggest inclusions for the agenda. Items not specifically on the agenda may still be discussed during the meeting; no action will be taken on such items.

The Director shall provide a copy of the agenda, with adequate data and background information, to each Governing Board/Executive Council 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 VASE policy 2:200, *Types of School Governing Board/Executive Council Meetings*.

The Chairperson shall determine the order of business at regular meetings of the Governing Board and the Executive Council. 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 Governing Board or Executive Council, 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 Governing Board or Executive Council, unless otherwise stated in law. The sequence for casting votes is rotated.

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 Governing Board/Executive Council’s minutes. An individual Governing Board/Executive Council member may request that a roll call vote be taken on any other matter; the Chairperson or other presiding officer may approve or deny the request but a denial is subject to being overturned by a majority vote of the members present.

Minutes

The secretary shall keep written minutes of all Governing Board/ Executive Council meetings (whether open or closed), which shall be signed by the Chairperson and the Secretary. The minutes include:

1. The meeting’s date, time, and place;
2. Governing Board/ Executive Council 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 authorizing the closed meeting;
7. A record of all motions, including individuals making and seconding motions;
8. Upon request by a Governing Board/Executive Council member, a record of how he or she voted on a particular motion; and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting’s date.

The minutes shall be submitted to the Governing Board/Executive Council or approval or modification at its next regularly scheduled open meeting.

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

The Governing Board/Executive Council’s meeting minutes must be submitted to the Governing Board/Executive Council Treasurer at such times as the Treasurer may require.

The official minutes are in the custody of the Director. Open meeting minutes are available for inspection during regular office hours within 10 days after the Governing Board/Executive Council’s approval; they may be inspected in the VASE main office, in the presence of the Secretary, the Director or designee, or any Governing Board/Executive Council member. Minutes from closed meetings are likewise available, but only if the Governing Board or Executive Council has released them for public inspection. The minutes shall not be removed from the Director’s office except by vote of the Governing Board/Executive Council or by court order.

Verbatim Record of Closed Meetings

The Director, or the Governing Board or Executive Council Secretary when the Director is absent, shall audio record all closed meetings. If neither is present, the Chairperson 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 Director shall ensure that: (1) an audio recording device and all necessary accompanying items are available to the Governing Board/Executive Council for every closed meeting, and (2) a secure location for storing closed meeting audio recordings is maintained close to the Governing Board/Executive Council’s regular meeting location.

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

Quorum and Participation by Audio or Video Means

A quorum of the Governing Board or the Executive Council must be physically present at all Governing Board/Executive Council meetings. A majority of the full membership of the Governing Board/Executive Council constitutes a quorum.

Provided a quorum is physically present, a Governing Board/Executive Council 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 Cooperative 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 Director at least 24 hours before the meeting unless advance notice is impractical. The Director will inform the Governing Board/Executive Council Chairperson and make appropriate arrangements. A Governing Board/Executive Council member who attends a meeting by audio or video means, as provided in this policy, may participate in all aspects of the Governing Board/Executive Council meeting including voting on any item

Rules of Order

Unless State law or Governing Board/Executive Committee-ADOPTED: SEPTEMBER 3, 2013 rules apply, the Governing Board/Executive Council Chairperson, as the presiding officer, will use Robert’s Rules of Order, Newly Revised (10th Edition), as a guide when a question arises concerning procedure.

Broadcasting and Recording Governing Board/Executive Council Meetings

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

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

LEGAL REF.: 5 ILCS 120/2a, 120/2.02, 120/2.05, and 120/2.06.

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

CROSS REF.: 2:200 (Types of School Governing Board/Executive Council Meetings), 2:150 (Committees), 2:210 (Organizational School Governing Board/Executive Council Meeting), 2:230 (Public Participation at School Governing Board/Executive Council Meetings and Petitions to the Governing Board/Executive Council)

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:220-E1

# Agency Governance

## Exhibit - Governing Board/Executive Council Treatment of Closed Meeting Verbatim Records and Minutes

The following procedures govern the verbatim audio recordings and minutes of School Governing Board/Executive Council meetings that are closed to the public.

| **Actor** | **Action** |
| --- | --- |
| *Before any Governing Board/Executive Council meeting:*Director | Arranges to have an audio recording device with extra recording tapes and a back-up audio recording device in the Governing Board/Executive Council meeting room during every Governing Board/Executive Council meeting regardless of whether a closed meeting is scheduled. The Governing Board/Executive Council may close a portion of a public meeting without prior notice; it cannot, however, have a closed meeting unless it can record the session. |
| *Before a closed meeting:*Chairperson | On the closed meeting date: (1) convenes an open meeting, (2) requests a motion to adjourn into closed meeting making sure the reason for the meeting is identified in the motion, (3) takes a roll call vote, (4) asks that the minutes record the vote of each member present and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act authorizing the closed meeting (5 ILCS 120/2a), and (5) adjourns the open meeting. |
| *Before a closed meeting:*Director or Governing Board/Executive Council Secretary  | Immediately before a closed meeting, tests and activates the audio recording device. |
| *During a closed meeting:*Chairperson | Convenes the closed meeting stating:Seeing a quorum of the Governing Board/Executive Council gathered today, \_\_\_ date, at \_\_\_o’clock, at \_\_\_\_ location, for the purpose of holding a closed meeting in order to confidentially discuss \_\_\_, I call the meeting to order. In order to record who is present, I request that each individual state his or her name and position with VASE.Limits discussion to the topics that were included in the motion to go into a closed meeting.The failure to immediately call a person out-of-order who strays from the purposes included in the motion may result in an appearance of acquiescence. This responsibility to call a person out-of-order falls on each Governing Board/Executive Council member in the event of the Chairperson’s failure. Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time. |
| *After a closed meeting:* Director or Governing Board/Executive Council Secretary  | Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and items discussed.Adds the identification information contained on the audio recording’s label to a cumulative list of closed meeting recordings.As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings.Prepares written closed meeting minutes that include: 1. The date, time, and place of the closed meeting
2. The Governing Board/Executive Council members present and absent
3. A summary of discussion on all matters proposed or discussed
4. The time the closed meeting was adjourned
 |
| *After a closed meeting:* Governing Board/ Executive Council | Approves the previous closed meeting minutes at the next open meeting. |
| *In preparation for the semi-annual review:* Director or designee | Prepares a recommendation concerning the continued need for confidential treatment of closed meeting minutes; includes this recommendation in the packet for the meeting in which the Governing Board/Executive Council will conduct its semi-annual review. This step is in preparation of the Governing Board/Executive Council’s meeting to decide whether the need for confidential treatment of specific closed meeting minutes continues to exist.If the Governing Board/Executive Council wants to discuss closed meeting minutes in closed session, places “review of unreleased closed meeting minutes” on a closed meeting agenda. Places “result of Governing Board/Executive Council’s review of unreleased closed meeting minutes” as an item on a subsequent open meeting agenda. |
| *In preparation for the semi-annual review:* Individual Governing Board/Executive Council members | Before the meeting in which the Governing Board/Executive Council will conduct its semi-annual review, examines the material supplied by the Director.Individual Governing Board/Executive Council members should consider: (1) the Director’s recommendation, (2) the recommendation of the Governing Board/Executive Council Attorney, (3) other Governing Board/Executive Council members’ opinions, (4) the minutes themselves, and/or (5) whether the minutes would be exempted from public disclosure under the Illinois Freedom of Information Act. |
| *During the semi-annual review:*Governing Board/ Executive Council | The Governing Board/Executive Council decides in open session whether: (1) the need for confidentiality still exists as to all or part of closed meeting minutes, or (2) the minutes or portions thereof no longer require confidential treatment and are available for public inspection.The Governing Board/Executive Council may have an earlier meeting in closed session to discuss the continued need for confidential treatment. |
| *After the semi-annual review:*Director or designee | Re-labels and re-files closed meeting minutes as appropriate. |
| *Monthly:*Chairperson | Adds “destruction of closed meeting audio recording” as an agenda item to an upcoming open meeting. |
| *Monthly:*Governing Board/ Executive council | Approves the destruction of particular closed meeting recording(s) that are at least 18 months old and for which approved minutes of the closed meeting already exist. |

LEGAL REF.: 5 ILCS 120/1 et seq.

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:220-E2

# Agency Governance

## Exhibit - Motion to Adjourn to Closed Meeting

**Motion to Adjourn to Closed Meeting**

|  |  |
| --- | --- |
| Date:  | Time:  |
| Location:  |

A motion was made by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , and seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to adjourn to closed meeting to discuss:

* The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of VASE or legal counsel for VASE, including hearing testimony on a complaint lodged against an employee or against legal counsel for VASE to determine its validity. 5 ILCS 120/2(c)(1).
* Collective negotiating matters between VASE and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
* The selection of a person to fill a public office, including a vacancy in a public office, when VASE is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when VASE is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
* Evidence or testimony presented in open hearing, or in closed hearing where 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 with its determinative reasoning. 5 ILCS 120/2(c)(4).
* The purchase or lease of real property for the use of VASE, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
* The setting of a price for sale or lease of property owned by VASE. 5 ILCS 120/2(c)(6).
* The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
* Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8).
* Student disciplinary cases. 5 ILCS 120/2(c)(9).
* The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
* Litigation, when an action against, affecting or on behalf of the particular Cooperative has been filed and is pending before a court or administrative tribunal, or when VASE finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the closed meeting minutes. 5 ILCS 120/2(c)(11).
* The establishment of reserves or settlement of claims as provided in the Local Government 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 VASE or any intergovernmental risk management association or self insurance pool of which VASE is a member. 5 ILCS 120/2(c)(12).
* Self-evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which VASE is a member. 5 ILCS 120/2(c)(16).
* Discussion of minutes of meetings lawfully closed, 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).

**Closed Meeting Roll Call:**

|  |  |
| --- | --- |
| “Yeas” | “Nays” |

**Motion**: [ ]  Carried [ ]  Failed

July 2013 2:220-E3

# Agency Governance

## Exhibit - Closed Meeting Minutes

**Closed Meeting Minutes**

|  |  |
| --- | --- |
| Date:  | Time:  |
| Location:  |
| Name of person(s) taking and recording the minutes:  |
| Name of person presiding:  |
| Members in attendance:1.
2.
3.
4.
5.
6.
 | Members absent:1.
2.
 |
| **Summary of the discussion on all matters:** |
| **Time of adjournment or return to open meeting:** |
|  |
| *The Governing Board /Executive Council, during its semi-annual review of closed session minutes, has decided these minutes no longer need confidential treatment.* |

July 2013 2:220-E5

# Agency Governance

## Exhibit - Semi-Annual Review of Closed Meeting Minutes

Logging and Review Process

1. The Governing Board/Executive Council Secretary maintains a log of the closed meeting minutes that are unavailable for public inspection. The meeting minutes are logged according to the reason the Governing Board/Executive Council held the closed meeting. 2:220-E6, *Log of Closed Meeting Minutes*.
2. The Governing Board/Executive Council meets in closed session to review the log of unreleased closed meeting minutes. The Governing Board/Executive Councilor Secretary brings a copy of all unreleased closed meeting minutes and, if requested, allows Governing Board/Executive Council members to review the actual minutes. The Governing Board/Executive Council identifies which closed meeting minutes or portions thereof no longer need confidential treatment. Use *Report Following the Governing Board/Executive Committee’s Semi-Annual Review of Closed Meeting Minutes,* below.
3. At least semi-annually in an open meeting, the Governing Board/Executive Council takes action to release for public inspection those minutes, or portions thereof, no longer needing confidential treatment. Use *Action to Accept*, below. Closed meeting minutes will not be released for public inspection if confidential treatment is needed to protect the public interest or the privacy of an individual, including: (1) student disciplinary cases or other matters relating to an individual student, and (2) personnel files and employees’ and Governing Board/Executive Council members’ personal information.
4. The Governing Board/Executive Councilor Recording Secretary: (1) updates the log of unreleased closed meeting minutes to remove any minutes that the Governing Board/Executive Council made available for public inspection; (2) makes a notation on any applicable closed meeting minutes of the Governing Board/Executive Council’s action to release it or a portion of it for public inspection; and (3) continues to log new closed meeting minutes that the Governing Board/Executive Council has not released for public inspection. 2:220-E6, *Log of Closed Meeting Minutes*.

Report Following the Governing Board/Executive Council’s Semi-Annual Review of Closed Meeting Minutes

The Governing Board/Executive Council met on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in closed session to conduct its semi-annual review of closed meeting minutes that have not been released for public inspection.

The closed meeting minutes, or portions thereof, from the following dates no longer require confidential treatment:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
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|  |  |  |  |  |  |

The need for confidentiality still exists as to all remaining closed meeting minutes to protect an individual’s privacy or the Cooperative’s interests.

Action to Accept the Governing Board/Executive Council’s Semi-Annual Review of Closed Meeting Minutes

|  |
| --- |
| Open meeting date:  |
| Motion to approve the Governing Board/Executive Council’s semi-annual review of unreleased closed meeting minutes and to release for public inspection those minutes, or portions thereof, that the Governing Board/Executive Council identified as no longer needing confidential treatment made by:  |
| Motion seconded by:  |
| Action: [ ]  Passed [ ]  Failed |

July 2013 2:220-E6

# Agency Governance

## Exhibit - Log of Closed Meeting Minutes

The purpose of this log is to facilitate the Governing Board/Executive Council’s semi-annual review of closed meeting minutes. See 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*.

The Governing Board/Executive Council Secretary shall maintain a list of closed meeting minutes, arranged according to the reason for the closed meeting, that have not been released for public inspection.

| **Closed Session Held to Discuss:** | **Dates of Closed Sessions** |
| --- | --- |
| Specific employee(s) or Cooperative legal counsel. 5 ILCS 120/2(c)(1). |  |  |  |
|  |  |  |
|  |  |  |
| Collective negotiating matters or deliberations concerning salary schedules for one or more classes of employees.5 ILCS 120/2(c)(2). |  |  |  |
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| Selection of a person to fill a vacancy on the Governing Board/Executive Council. 5 ILCS 120/2(c)(3). |  |  |  |
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| Evidence or testimony presented in a hearing where authorized by law. 5 ILCS 120/2(c)(4). |  |  |  |
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| Purchase or lease of real property. 5 ILCS 120/2(c)(5). |  |  |  |
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| Setting of a price for sale or lease of Cooperative property. 5 ILCS 120/2(c)(6). |  |  |  |
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| Sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7). |  |  |  |
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| Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger. 5 ILCS 120/2(c)(8). |  |  |  |
|  |  |  |
|  |  |  |
| Student disciplinary cases. 5 ILCS 120/2(c)(9).  *Minutes of meetings held for this reason shall never be released to protect the individual student’s privacy.* |  |  |  |
|  |  |  |
|  |  |  |
| Any matter involving an individual student. 5 ILCS 120/2(c)(10). *Minutes of meetings held for this reason shall never be released to protect the individual student’s privacy.* |  |  |  |
|  |  |  |
|  |  |  |
| Litigation, when an action against, affecting, or on behalf of the Cooperative has been filed and is pending before a court or administrative tribunal, or when the Governing Board/Executive Council finds that an action is probable or imminent. 5 ILCS 120/2(c)(11). |  |  |  |
|  |  |  |
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|  |  |  |
| Establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the Cooperative or any intergovernmental risk management association or self insurance pool. 5 ILCS 120/2(c)(12). |  |  |  |
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| Self-evaluation, practices and procedures or professional ethics, when meeting with an IASB representative. 5 ILCS 120/2(c)(16). |  |  |  |
|  |  |  |
|  |  |  |
| Minutes of meetings lawfully closed, whether for purposes of approval or semi-annual review. 5 ILCS 120/2(c)(21). |  |  |  |
|  |  |  |
|  |  |  |

July 2013 2:230

# Agency Governance

## Public Participation at Governing Board/Executive Council Meetings and Petitions to those Public Bodies

At each regular and special open meeting, members of the public and VASE employees may comment to or ask questions of the Governing Board and Executive Council, subject to reasonable constraints.

The individuals appearing before the Governing Board/Executive Council are expected to follow these guidelines:

1. Address the Governing Board/Executive Council only at the appropriate time as indicated on the agenda and when recognized by the Governing Board /Executive Council Chairperson.
2. Each speaker will identify him- or herself and be brief. Ordinarily, comments shall be limited to 5 minutes. In unusual circumstances, and when an individual has made a request in advance to speak for a longer period of time, the individual may be allowed to speak for more than 5 minutes.
3. Observe the Governing Board/Executive Council Chairperson’s decision to shorten public comment to conserve time and give the maximum number of individuals an opportunity to speak.
4. Observe the Governing Board/Executive Council Chairperson’s decision to determine procedural matters regarding public participation not otherwise covered in Governing Board/Executive Council policy.
5. Conduct oneself with respect and civility toward others and otherwise abide by Governing Board/Executive Council policy, 8:30, *Visitors to and Conduct on VASE Cooperative Property*.

Petitions or written correspondence to the Governing Board/Executive Council shall be presented to the Governing Board/Executive Council in the next regular Governing Board/Executive Council packet.

LEGAL REF.: 5 ILCS 120/2.06.

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

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:240

# Agency Governance

## Governing Board/Executive Council Policy Development

The Governing Board/Executive Council governs using written policies. Written policies ensure legal compliance, establish processes used by either governing body, articulate Cooperative ends, delegate authority, and define operating limits. Governing Board/Executive Council policies also provide the basis for monitoring progress toward Cooperative ends.

Policy Development

Anyone may propose new policies, changes to existing policies, or deletion of existing policies. Staff suggestions should be processed through the Director. Suggestions from all others should be made to the Governing Board/Executive Council Chairperson or the Director.

A Governing Board/Executive Council Policy Committee will consider all policy suggestions and provide information and recommendations to the Governing Board/Executive Committee.

The Director is responsible for: (1) providing relevant policy information and data to the Governing Board/Executive Council, (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 Governing Board/Executive Council deliberation. The Director shall seek the counsel of the Governing Board/Executive Council Attorney when appropriate.

Policy Adoption and Dissemination

Policies or policy revisions will not be adopted at the Governing Board/Executive Council meeting at which they are first introduced, except when: (1) appropriate for a consent agenda because no Governing Board/Executive Council discussion is required, or (2) necessary or prudent in order to meet emergency or special conditions or to be legally compliant. Further Governing Board/Executive Council consideration will 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.

Policies are available for public inspection in the VASE main office during regular office hours. Copy requests should be made pursuant to Governing Board/Executive Council policy 2:250, *Access to District Public Records*.

Governing Board/Executive Council Policy Review and Monitoring

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

Director Implementation

The Governing Board/Executive Council will support any reasonable interpretation of policy made by the Director. If reasonable minds differ, the Governing Board/Executive Council will review the applicable policy and consider the need for further clarification. In the absence of policy, the Director is authorized to take appropriate action.

Suspension of Policies

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

LEGAL REF.: 105 ILCS 5/10-20.5.

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

ADOPTED: SEPTEMBER 3, 2013

July, 2013 2:250

# Agency Governance

## Access to Cooperative Public Records

Full access to the Cooperative’s *public records* is available to any person as provided in the Illinois Freedom of Information Act (FOIA), this policy, and implementing procedures.

Freedom of Information Officer

The Director shall serve as the Cooperative’s Freedom of Information Officer and is assigned all the duties and powers of that office as provided in FOIA and this policy. The Director may delegate these duties and powers to one or more designees but the delegation shall not relieve the Director of the responsibility for the action that was delegated. The Director or designee(s) shall report any FOIA requests and the status of the Cooperative’s response to the Governing Board/Executive Council at each regular meeting of either governing body.

Definition

The Cooperative’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 materials 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 Cooperative.

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 Cooperative’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. All requests for inspection and copying shall immediately be forwarded to the Cooperative’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 5 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 5 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 delay, 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.

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.

Copying Fees

Persons making a request for copies of public records must pay a copying fee of $0.15 per page. This fee is reasonably calculated to reimburse the Cooperative’s actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. No fees shall be charged for the first 50 pages of black and white, letter or legal sized copies. The actual cost of color copies or abnormal-size copies will be charged. No fee shall be charged for electronic copies other than the actual cost of the recording medium.

Access

The inspection and copying of a public record that is the subject of an approved access request is permitted at the Cooperative’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 Cooperative’s website including, but not limited to, a description of the Cooperative and the methods for requesting a public record.

Preserving Public Records

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of the Cooperative’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 Governing Board/Executive Council Attorney (e.g. a litigation hold), Cooperative auditor, or other individual authorized by the School Governing Board/Executive Councilor 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.

820 ILCS 130/5.

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 2:260

# Agency Governance

## Uniform Grievance Procedure

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

1. Title II of the Americans with Disabilities Act
2. Title IX of the Education Amendments of 1972
3. Section 504 of the Rehabilitation Act of 1973
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 (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972)
7. Bullying, 105 ILCS 5/27-23.7
8. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
9. Curriculum, instructional materials, and/or programs
10. Victims’ Economic Security and Safety Act, 820 ILCS 180
11. Illinois Equal Pay Act of 2003, 820 ILCS 112
12. Provision of services to homeless students
13. Illinois Whistleblower Act, 740 ILCS 174/.
14. Misuse of genetic information (Illinois Genetic Information Privacy Act (GIPA), 410 ILCS 513/ and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. §2000ff et seq.)
15. Employee Credit Privacy Act, 820 ILCS 70/.
16. Individuals With Disabilities Education Act 42 U.S.C. &1400 ed seq.:

The Complaint Manager will attempt to resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person’s pursuit of other remedies. 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. All deadlines under this procedure may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, “school business days” means days on which the Cooperative’s main office is open.

Filing a Complaint

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

Investigation

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

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

Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Director. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Director, the written report shall be filed with the Governing Board/Executive Council, which will make a decision in accordance with the following section of this policy. The Director will keep the Governing Board/Executive Council informed of all complaints.

Decision and Appeal

Within 5 school business days after receiving the Complaint Manager’s report, the Director shall mail his or her written decision to the Complainant by U.S. mail, first class, as well as to the Complaint Manager.

Within 10 school business days after receiving the Director’s decision, the Complainant may appeal the decision to the Governing Board/Executive Council by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Governing Board/Executive Council. Within 30 school business days, the Governing Board/Executive Council shall affirm, reverse, or amend the Director’s decision or direct the Director to gather additional information. Within 5 school business days of the Governing Board/Executive Council’s decision, the Director shall inform the Complainant of the governing body’s action.

This grievance procedure shall not be construed to create an independent right to a hearing before the Director or Governing Board/Executive Committee. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing Nondiscrimination Coordinator and Complaint Managers

The Director shall appoint a Nondiscrimination Coordinator to manage the efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others.

The Director shall appoint at least one Complaint Manager to administer the complaint process in this policy. If possible, the Director will appoint 2 Complaint Managers, one of each gender. The Nondiscrimination Coordinator may be appointed as one of the Complaint Managers.

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

**Nondiscrimination Coordinator:**

|  |  |
| --- | --- |
|  |  |
| Name |  |
| Address |  |
|  |  |
| Telephone |  |

**Complaint Managers:**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Name |  | Name |
| Address |  | Address |
|  |  |  |
| Telephone |  | Telephone |

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.

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

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

Equal Pay Act, 29 U.S.C. §206(d).

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

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

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

Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.

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

Title IX of the Education Amendments, 20 U.S.C. §1681 et seq.

105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.

Illinois Genetic Information Privacy Act, 410 ILCS 513/.

Illinois Whistleblower Act, 740 ILCS 174/.

Illinois Human Rights Act, 775 ILCS 5/.

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

Equal Pay Act of 2003, 820 ILCS 112.

Employee Credit Privacy Act, 820 ILCS 70/.

23 Ill.Admin.Code §§1.240 and 200-40.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Preventing Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities), 8:110 (Public Suggestions and Complaints)

ADOPTED: SEPTEMBER 3, 2013

July 2013 3:30

# General Administration

**Chain of Command**

The Director shall develop an organizational chart indicating the channels of authority and reporting relationships for 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 (Cooperative Organization, Operations, and Cooperative Agreements), 2:140 (Communications To and From the Governing Board/Executive Committee), 3:70 (Succession of Authority), 8:110 (Public Suggestions and Complaints)

ADOPTED: SEPTEMBER 3, 2013

July 2013 3:40

# General Administration

**Director of Special Education**

Duties and Authority

The Director of Special Education is the Cooperative’s executive officer and is responsible for the administration and management of the programs in accordance with Governing Board/Executive Council policies and directives, and State and Federal law. Management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law.

The Director is authorized to develop administrative procedures and take other action as needed to implement Governing Board/Executive Council policy and otherwise fulfill his or her responsibilities. The Director may delegate to other staff members the exercise of any powers and the discharge of any duties imposed upon the Director by Governing Board/Executive Council policies or by Governing Board/Executive Council vote. The delegation of power or duty, however, shall not relieve the Director of responsibility for the action that was delegated.

Qualifications

The Director must be of good character and of unquestionable morals and integrity. The Director shall have the experience and the skills necessary to work effectively with the Governing Board/Executive Council, employees, students, and the community. The Director shall have valid administrative certification/state approval.

The screening committee composed of members of either the Governing Board or the Executive Council shall recommend the Director for Governing Board/Executive Council’s approval. The Screening Committee shall apply selection criteria equally to all applicants without regard to national origin, race, creed, sex, age, or handicapping conditions.

Evaluation

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

Compensation and Benefits

The Governing Board/Executive Council and the Director shall enter into a contract that conforms to Governing Board/Executive Council policy and State law. This contract shall govern the employment relationship between the Governing Board/Executive Council and the Director. The terms of the Director’s employment agreement, when in conflict with this policy, will control.

LEGAL REF.: 105 ILCS 5/10-16.7, 5/10-20.47, 5/10-20.50, 5/10-21.4, 5/10-23.8, 5/21-7.1, 5/24-11, and 5/24A-3.

23 Ill.Admin.Code §§1.310, 1.705, and 29.130.

CROSS REF: 2:20 (Powers and Duties of the School Governing Board/Executive Committee), 2:130 (Governing Board/Executive Committee-Director Relationship), 2:240 (Governing Board/Executive Council Policy Development), 3:10 (Goals and Objectives)

ADOPTED: SEPTEMBER 3, 2013

July 2013 3:50

# General Administration

## Administrative Personnel Other Than the Director

Duties and Authority

The Governing Board/Executive Council establishes administrative and supervisory positions in accordance with the Cooperative’s needs and State law and regulations. The general duties and authority of each administrative or supervisory position are approved by the Governing Board/Executive Committee, upon the Director’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 certificated and shall meet all applicable requirements contained in State law and Illinois State Board of Education rule.

Evaluation

The Director shall evaluate all administrative personnel and make employment and salary recommendations to the Governing Board/Executive Council.

Compensation and Benefits

The Governing Board/Executive Council will consider the Director’s recommendations when setting compensation for individual administrators. These recommendations should be presented to the Governing Board/Executive Council no later than the March Governing Board/Executive Council meeting or at such earlier time that will allow the Governing Board/Executive Council to consider contract renewal and nonrenewal 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, 5/21-7.1, 5/24A-1, 5/24A-3, and 5/24A-4.

23 Ill.Admin.Code §1.310.

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 3:60

# General Administration

## Administrative Responsibility of the Building Principal

The Governing Board/Executive Council, upon the recommendation of the Director, employs Building Principals as the chief administrators and instructional leaders of their assigned schools. The primary responsibility of a Building Principal is the improvement of instruction. The Building Principal shall perform all duties as described in The School Code as well as such other duties as specified in his or her employment agreement or as agreed upon by the Building Principal and Director.

The Director shall develop and maintain a principal evaluation plan that complies with Section 24A-15 of The School Code. Using that plan, the Director or designee shall evaluate each Building Principal. The Director or designee may conduct additional evaluations.

The Governing Board/Executive Council and each Building Principal shall enter into an employment agreement that conforms to Governing Board/Executive Council policy and State law.  The terms of an individual employment contract, when in conflict with the evaluation plan or this policy, will control.

LEGAL REF.: 10 ILCS 5/4-6.2.

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

105 ILCS 127/1 et seq.

CROSS REF.: 3:50 (Administrative Personnel Other Than the Director), 5:250 (Leave of Absence)

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:10

# Operational Services

## Fiscal and Business Management

The Director is responsible for the Cooperative’s fiscal and business management. This responsibility includes annually preparing and presenting the Cooperative’s statement of affairs to the Governing Board/Executive Council and publishing it before December 1 as required by State law.

The Director shall ensure the efficient and cost-effective operation of the Cooperative’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 Cooperative’s electronic network shall complete an “Authorization for Electronic Network Access.”

Budget Planning.

The Cooperative’s fiscal year is from July 1 until June 30. The Director shall present to the Governing Board/Executive Council, 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 Cooperative’s educational program. The Cooperative’s budget shall be entered upon the Illinois State Board of Education’s “Joint Agreement Budget Form.” To the extent possible, the tentative budget shall be balanced as defined by the State Board of Education guidelines. The Director shall complete a tentative deficit reduction plan if one is required by the State Board of Education guidelines.

Preliminary Adoption Procedures

After receiving the Director’s proposed budget, the Governing Board/Executive Council 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 Director or designee 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, and the public shall be invited to comment, question, or advise the Governing Board/Executive Council.

Final Adoption Procedures

The Governing Board/Executive Council adopts a budget before September 1, or by such alternative procedure as State law may define. To the extent possible, the budget shall be balanced as defined by the State Board of Education; if not balanced, the Governing Board/Executive Council will adopt a deficit reduction plan to balance the Cooperative’s budget within 3 years according to State Board of Education requirements.

The Governing Board/Executive Council adopts the budget by roll call vote. The budget resolution shall be incorporated into the meeting’s official minutes. Governing Board/Executive Council members’ names voting *yea* and *nay* shall be recorded in the minutes.

The Director or designee shall perform each of the following:

1. Post the Cooperative’s final annual budget, itemized by receipts and expenditures, on the Cooperative’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 Cooperative’s Chief Fiscal Officer, with the County Clerk within 30 days of the budget’s adoption.
3. Submit the annual budget, a deficit reduction plan if one is required by State Board of Education guidelines, and other financial information to the State Board of Education according to its requirements.

Any amendments to the budget shall be made as provided in The School Code.

Budget Amendments

The Governing Board/Executive Council may amend the budget by the same procedure as provided for in the original adoption.

Implementation

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

The Governing Board/Executive Council 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.: 35 ILCS 200/18-55 et seq.

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

23 Ill.Admin.Code Part 100.

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

ADMIN. PROC.: 6:235-E2 (Exhibit - Authorization for Electronic Network Access)

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:30

# Operational Services

## Revenue and Investments

Revenue

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

Investments

The Director shall either appoint a Chief Investment Officer or serve as one. 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 Director 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 Cooperative’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 Cooperative 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 Cooperative funds in one or more of the following:

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

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

1. Interest-bearing savings accounts, interest-bearing certificates of deposit or interest-bearing time deposits or any other investments constituting direct obligations of any bank as defined by the Illinois Banking Act.
2. Short term obligations of corporations organized in the United States with assets exceeding $500,000,000 if: (i) such obligations are rated at the time of purchase at one of the 3 highest classifications established by at least 2 standard rating services and that mature not later than 270 days from the date of purchase, (ii) such purchases do not exceed 10% of the corporation’s outstanding obligations, and (iii) no more than one-third of the Cooperative’s funds may be invested in short term obligations of corporations.
3. Money market mutual funds registered under the Investment Company Act of 1940, provided that the portfolio of any such money market mutual fund is limited to obligations described in paragraph (1) or (2) and to agreements to repurchase such obligations.
4. Short term discount obligations of the Federal National Mortgage Association or in shares or other forms of securities legally issuable by savings banks or savings and loan associations incorporated under the laws of this State or any other state or under the laws of the United States. Investments may be made only in those savings banks or savings and loan associations, the shares, or investment certificates that are insured by the Federal Deposit Insurance Corporation. Any such securities may be purchased at the offering or market price thereof at the time of such purchase. All such securities so purchased shall mature or be redeemable on a date or dates prior to the time when, in the judgment of the Chief Investment Officer, the public funds so invested will be required for expenditure by the Cooperative or its governing authority.
5. Dividend-bearing share accounts, share certificate accounts, or class of share accounts of a credit union chartered under the laws of this State or the laws of the United States; provided, however, the principle office of any such credit union must be located within the State of Illinois. Investments may be made only in those credit unions the accounts of which are insured by applicable law.
6. A Public Treasurers’ Investment Pool created under Section 17 of the State Treasurer Act. The Cooperative may also invest any public funds in a fund managed, operated, and administered by a bank, subsidiary of a bank, or subsidiary of a bank holding company or use the services of such an entity to hold and invest or advise regarding the investment of any public funds.
7. The Illinois School District Liquid Asset Fund Plus.
8. Repurchase agreements of government securities having the meaning set out in the Government Securities Act of 1986, as now or hereafter amended or succeeded, subject to the provisions of said Act and the regulations issued there under. The government securities, unless registered or inscribed in the name of the Cooperative, shall be purchased through banks or trust companies authorized to do business in the State of Illinois.

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

1. The securities, unless registered or inscribed in the name of the Cooperative, are purchased through banks or trust companies authorized to do business in the State of Illinois.
2. The Chief Investment Officer, after ascertaining which firm will give the most favorable rate of interest, directs the custodial bank to “purchase” specified securities from a designated institution. The “custodial bank” is the bank or trust company, or agency of government that acts for the Cooperative in connection with repurchase agreements involving the investment of funds by the Cooperative. The State Treasurer may act as custodial bank for public agencies executing repurchase agreements.
3. A custodial bank must be a member bank of the Federal Reserve System or maintain accounts with member banks. All transfers of book-entry securities must be accomplished on a Reserve Bank’s computer records through a member bank of the Federal Reserve System. These securities must be credited to the Cooperative on the records of the custodial bank and the transaction must be confirmed in writing to the Cooperative by the custodial bank.
4. Trading partners shall be limited to banks or trust companies authorized to do business in the State of Illinois or to registered primary reporting dealers.
5. The security interest must be perfected.
6. The Cooperative enters into a written master repurchase agreement that outlines the basic responsibilities and liabilities of both buyer and seller.
7. Agreements shall be for periods of 330 days or less.
8. The Chief Investment Officer informs the custodial bank in writing of the maturity details of the repurchase agreement.
9. The custodial bank must take delivery of and maintain the securities in its custody for the account of the Cooperative and confirm the transaction in writing to the Cooperative. The custodial undertaking shall provide that the custodian takes possession of the securities exclusively for the Cooperative; that the securities are free of any claims against the trading partner; and that any claims by the custodian are subordinate to the Cooperative’s claims to rights to those securities.
10. The obligations purchased by the Cooperative may only be sold or presented for redemption or payment by the fiscal agent bank or trust company holding the obligations upon the written instruction of the Chief Investment Officer.
11. The custodial bank shall be liable to the Cooperative for any monetary loss suffered by the Cooperative due to the failure of the custodial bank to take and maintain possession of such securities.
12. Any investment as authorized by the Public Funds Investment Act, and Acts amendatory thereto. Paragraph 11 supersedes paragraphs 1-10 and controls in the event of conflict.

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

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. The Governing Board/Executive Council will review and approve the list at least annually.

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

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

Safekeeping and Custody Arrangements

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

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 Governing Board/Executive Council. The report will: (1) assess whether the investment portfolio is meeting the Cooperative’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 Cooperative, 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 Governing Board/Executive Council will determine, after receiving the Director’s recommendation, which fund is in most need of interest income and the Director 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 Governing Board/Executive Council and Cooperative officials will avoid any investment transaction or practice that in appearance or fact might impair public confidence. Governing Board/Executive Council members are bound by policy 2:100, *Governing Board/Executive Council Member Conflict of Interest*. No Cooperative employee having influence on the Cooperative’s investment decisions shall:

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

LEGAL REF.: 30 ILCS 235/.

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

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:40

# Operational Services

## Incurring Debt

The Director shall provide early notice to the Governing Board/Executive Council of the Cooperative’s need to borrow money. The Director or designee shall prepare all documents and notices necessary for the Governing Board/Executive Committee, at its discretion, to: (1) issue State Aid Anticipation Certificates, 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 Director shall notify the State Board of Education before the Cooperative 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.

LEGAL REF.: 30 ILCS 305/2 and 352/1 et seq.

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: SEPTEMBER 3, 2013

July 2013 4:45

# Operational Services

## Insufficient Fund Checks

The Director or designee is responsible for collecting the maximum fee authorized by State law for returned checks written to the Cooperative that are not honored upon presentation to the respective bank or other depository institution for any reason. The Director is authorized to contact the Cooperative’s attorney whenever necessary to collect the returned check amount, fee, collection costs and expenses, and interest.

LEGAL REF.: 810 ILCS 5/3-806.

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:50

# Operational Services

## 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 Governing Board/Executive Council in advance of the Governing Board/Executive Council’s first regular monthly meeting. These bills are reviewed by the Governing Board/Executive Council, after which they may be approved for payment by Governing Board/Executive Council 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 Governing Board/Executive Council order or pertinent portions of the Governing Board/Executive Council minutes, even if the minutes are unapproved, provided the order or minutes are signed by the Governing Board/Executive Council President and Secretary, or a majority of the Governing Board/Executive Council.

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

The Governing Board/Executive Council authorizes the Director 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 Governing Board/Executive Council policy 4:80, *Accounting and Audits*, and remain in the custody of an employee who is properly bonded according to State law.

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: SEPTEMBER 3, 2013

July 2013 4:55

# Operational Services

## Use of Credit and Procurement Cards

The Director and employees designated by the Director are authorized to use Cooperative credit and procurement cards to simplify the acquisition, receipt, and payment of purchases and travel expenses incurred on the Cooperative’s behalf. Credit and procurement cards shall only be used for those expenses that are for the Cooperative’s benefit and serve a valid and proper public purpose; they shall not be used for personal purchases. Cardholders are responsible for exercising due care and judgment and for acting in the Cooperative’s best interests.

The Director or designee shall manage the use of Cooperative credit and procurement cards by employees. It is the Governing Board/Executive Council’s responsibility, through the audit and approval process, to determine whether Cooperative credit and procurement card use by the Director is appropriate.

In addition to the other limitations contained in this and other Governing Board/Executive Council policies, Cooperative credit and procurement cards are governed by the following restrictions:.

1. Credit and/or procurement cards may only be used to pay certain job-related expenses or to make purchases on behalf of the Governing Board/Executive Councilor Cooperative or any student activity fund, or for purposes that would otherwise be addressed through a conventional revolving fund.
2. The Director or designee shall instruct the issuing bank to block the cards’ use at unapproved merchants.
3. Each cardholder, other than the Director, may charge no more than $500 in a single purchase and no more than $1000 within a given month without prior authorization from the Director.
4. The Director or designee must approve the use of a Cooperative credit or procurement card whenever such use is by telephone, fax, and the Internet. Permission shall be withheld when the use violates any Governing Board/Executive Council policy, is from a vendor whose reputation has not been verified, or would be more expensive than if another available payment method were used.
5. The consequences for unauthorized purchases include, but are not limited to, reimbursing the Cooperative for the purchase amount, loss of cardholding privileges, and, if made by an employee, discipline up to and including discharge.
6. All cardholders must sign a statement affirming that they are familiar with this policy.
7. The Director shall implement a process whereby all purchases using a Cooperative credit or procurement card are reviewed and approved by someone other than the cardholder or someone under the cardholder’s supervision.
8. Cardholders must submit the original, itemized receipt to document all purchases.
9. No individual may use a Cooperative credit or procurement card to make purchases in a manner contrary to State law, including, but not limited to, the bidding and other purchasing requirements in 105 ILCS 5/10-20.21, or any Governing Board/Executive Council policy.
10. The Director or designee shall account for any financial or material reward or rebate offered by the company or institution issuing the Cooperative credit or procurement card and shall ensure that it is used for the Cooperative’s benefit.

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 (Activity Funds)

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:60

# Operational Services

## Purchases and Contracts

The Director shall manage the Cooperative’s purchases and contracts in accordance with State law, the standards set forth in this policy, and other applicable Governing Board/Executive Council policies.

Standards for Purchasing and Contracting

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

All purchases and contracts should support a recognized Cooperative 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.

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

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

1. Supplies, materials, or work involving an expenditure in excess of $25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.
2. Construction, lease, or purchase of school buildings must comply with State law and Governing Board/Executive Council 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 Cooperative in excess of $1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21. The Director 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 Director or designee shall report this information to the Governing Board/Executive Council by completing the necessary forms that must be attached to the Cooperative’s annual budget.
6. The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Governing Board/Executive Council policy 4:70, *Resource Conservation*.

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

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

820 ILCS 130/.

CROSS REF.: 2:100 (Governing Board/Executive Council Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs)

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:70

# Operational Services

## Resource Conservation

The Director or designee shall manage a program of energy and resource conservation for the Cooperative 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 Cooperative’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 Cooperative’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 Cooperative.
4. Adherence to energy conservation measures.

LEGAL REF.: 105 ILCS 5/10-20.19c.

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:80

# Operational Services

## Accounting and Audits

The Cooperative’s accounting and audit services shall comply with the Illinois Program Accounting Manual, as adopted by the Illinois State Board of Education, and State law. The Director, in addition to other assigned financial responsibilities, shall report monthly on the Cooperative’s financial performance, both income and expense, in relation to the financial plan represented in the budget.

Annual Audit

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

Annual Financial Report

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

Inventories

The Director or designee is responsible for establishing and maintaining accurate inventory records that, at a minimum, comply with the Illinois Program Accounting Manual. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost.

Disposition of Cooperative Property

The Director or designee shall notify the Governing Board/Executive Council as necessary, of the following so that the Governing Board/Executive Council may consider its disposition: (1) Cooperative 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 Director or designee may unilaterally dispose of personal property of a diminutive value.

Taxable Fringe Benefits

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

Controls for Revolving Funds and Petty Cash

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

LEGAL REF.: 105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.4, 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 (Activity Funds)

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:90

# Operational Services

**Activity Funds**

The Governing Board/Executive Council, upon the Director 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 Director or designee shall be responsible for supervising student activity funds in accordance with Governing Board/Executive Council policy, 4:80, *Accounting and Audits*; State law; and the Illinois State Board of Education rules for student activity funds. The Governing Board/Executive Council 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 Illinois State Governing Board/Executive Council of Education rules for school activity funds, including the authority to make loans between activity funds.

Unless otherwise instructed by the Governing Board/Executive Council, 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 with a similar purpose.

LEGAL REF.: 105 ILCS 5/8-2 and 5/10-20.19.

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

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:100

# Operational Services

## Insurance Management

The Director shall annually recommend an insurance program that provides the broadest and most complete coverage available at the most economical cost, consistent with sound insurance principles.

The insurance program shall include:

1. Liability coverage to insure against any loss or liability of the Cooperative 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 Governing Board/Executive Council’s direction or related to any mentoring services provided to the Cooperative’s certified staff members; Governing Board/Executive Council 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. 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.
3. 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.

LEGAL REF.: Consolidated Omnibus Budget Reconciliation Act, P. L. 99-272, ¶ 1001, 100 Stat. 222, 4980B(f) of the I.R.S. Code, 42 U.S.C. §300bb-1 et seq.

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

215 ILCS 5/.

820 ILCS 305/.

ADOPTED: SEPTEMBER 3, 2013

July 2013 4:110

# Operational Services

**Transportation**

Pupil transportation shall be the responsibility of the District of residence. No employee may transport students in school or private vehicles unless authorized by the administration.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

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

 105 ILCS 45/1-15.

 625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813, 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 §440-3.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development), 5:120 (Ethics and Conduct), 5:280 (Educational Support Personnel - Duties and Qualifications), 6:140 (Education of Homeless Children), 7:220 (Bus Conduct)

ADMIN. PROC.: 4:110-AP2 (Bus Driver Communication Devices; Pre-Trip and Post-Trip Inspection; Bus Driving Comments), 4:170-AP3 (School Bus Safety Rules), 4:170-E3 (Emergency Medical Information for Students Having Special Needs or Medical Conditions Who Ride School Buses), 6:140-AP (Education of Homeless Children)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:10

# General Personnel

## Equal Employment Opportunity and Minority Recruitment

The Cooperative 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, use of lawful products while not at work, being a victim of domestic or sexual violence, genetic information, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation, credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position, or other legally protected categories.

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

Administrative Implementation

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

**Nondiscrimination Coordinator:**

|  |  |
| --- | --- |
|  |  |
| Name |  |
| Address |  |
|  |  |
| Telephone |  |

**Complaint Managers:**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Name |  | Name |
| Address |  | Address |
|  |  |  |
| Telephone |  | Telephone |

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

Minority Recruitment

The Cooperative 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 Cooperative to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.

Americans With Disabilities Act, Title I, 42 U.S.C. §12111 et seq.

Civil Rights Act of 1991, 29 U.S.C. §§621 et seq., 42 U.S.C. §1981 et seq., §2000e et seq., and §12101 et seq.

Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964), 42 U.S.C. §2000e et seq., 29 C.F.R. Part 1601.

Equal Pay Act, 29 U.S.C. §206(d).

Employee Credit Privacy Act, 820 ILCS 70/.

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

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

Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.

Pregnancy Discrimination Act, 42. U.S.C. §2000e(k).

Title IX of the Education Amendments, 20 U.S.C. §1681 et seq., 34 C.F.R. Part 106.

Uniformed Services Employment and Reemployment Rights Act (1994), 38 U.S.C. §§4301 et seq.

Ill. Constitution, Art. I, §§17, 18, and 19.

105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.

Genetic Information Protection Act, 410 ILCS 513/25.

Ill. Whistleblower Act, 740 ILCS 174/.

Ill. Human Rights Act, 775 ILCS 5/1-103 and 5/2-102.

Religious Freedom Restoration Act, 775 ILCS 35/5.

Ill. Equal Pay Act of 2003, 820 ILCS 112/.

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

23 Ill.Admin.Code §1.230.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria, 5:40 (Communicable and Chronic Infectious Disease), 5:70 (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: SEPTEMBER 3, 2013

July 2013 5:20

# General Personnel

## Workplace Harassment Prohibited

The Cooperative expects the workplace environment to be productive, respectful, and free of unlawful harassment. Cooperative employees shall not engage in harassment or abusive conduct on the basis of an individual’s race, religion, national origin, sex, sexual orientation, age, citizenship status, disability, or other protected status identified in Governing Board/Executive Council policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Governing Board/Executive Council policy 7:20, *Harassment of Students Prohibited*.

Sexual Harassment Prohibited

The Cooperative shall provide a workplace environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law.

Cooperative 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 verbal or physical 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 Complaint; Enforcement A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge. An employee’s employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Governing Board/Executive Council policy 2:260, *Uniform Grievance Procedure*).

Aggrieved persons, who 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.

Employees should report claims of harassment to the Nondiscrimination Coordinator and/or use the Governing Board/Executive Council policy 2:260, *Uniform Grievance Procedure*. Employees may choose to report to a person of the employee’s same sex. There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Whom to Contact with a Report or Complaint

The Director shall insert into this policy the names, addresses, and telephone numbers of the Cooperative’s current Nondiscrimination Coordinator and Complaint Managers.

**Nondiscrimination Coordinator:**

|  |  |
| --- | --- |
|  |  |
| Name |  |
| Address |  |
|  |  |
| Telephone |  |

**Complaint Managers:**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Name |  | Name |
| Address |  | Address |
|  |  |  |
| Telephone |  | Telephone |

The Director shall also use reasonable measures to inform staff members and applicants of this policy, which shall include reprinting this policy in the appropriate handbooks.

LEGAL REF.: Title VII of the Civil Rights Act, 42 U.S.C. §2000e et seq., 29 C.F.R. §1604.11.

Title IX of the Education Amendments, 20 U.S.C. §1681 et seq.; 34 C.F.R. §1604.11.

Ill. Human Rights Act, 775 ILCS 5/2-101(E), 5/2-102(D), 5/5-102, and 5/5-102.2.

56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.

Burlington Industries v. Ellerth, 118 S.Ct. 2257 (1998).

Faragher v. City of Boca Raton, 118 S.Ct. 2275 (1998).

Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).

Harris v. Forklift Systems, 114 S.Ct. 367 (1993).

Jackson v. Birmingham Board of Education, 125 S.Ct. 1497 (2005).

Meritor Savings Bank v. Vinson, 106 S.Ct. 2399 (1986).

Oncale v. Sundown Offshore Services, 118 S.Ct. 998 (1998).

Porter v. Erie Foods International, Inc., 576 F.3d 629 (7th Cir. 2009).

Sangamon County Sheriff’s Dept. v. Ill. Human Rights Com’n, 908 N.E.2d 39 (Ill., 2009).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 7:20 (Harassment of Students Prohibited)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:30

# General Personnel

## Hiring Process and Criteria

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

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

Job Descriptions

The Director 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 Director 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. The Director or designee shall notify an applicant if the applicant is identified in either database. The School Code requires the President of the Governing Board and/or the Chairperson of the Executive Council to keep a conviction record confidential and share it only with the Director, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for purposes of clarifying the information, the Department of State Police and/or Statewide Sex Offender Database.

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

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

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

1. The Cooperative 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 Cooperative does not ask an applicant or applicant’s previous employers about claim(s) made or benefit(s) received under the Workers’ Compensation Act. The Cooperative does not request of an applicant or employee access in any manner to his or her social networking website, including a request for passwords to such sites.
3. The Cooperative provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.
4. Physical Examinations: New employees must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease, including tuberculosis. All physical fitness examinations and tests for tuberculosis must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination and tuberculin test performed no more than 90 days before submitting evidence of it to the Board.

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

Orientation Program

The Cooperative’s staff will provide an orientation program for new employees to acquaint them with the Cooperative’s policies and procedures, the school’s rules and regulations, and the responsibilities of their position.

LEGAL REF.: 105 ILCS 5/10-21.9.

Employee Credit Privacy Act, 820 ILCS 70/.

Right to Privacy in the Workplace Act, 820 ILCS 55/.

Americans with Disabilities Act, 42 U.S.C. §12112, 29 C.F.R. Part 1630.

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

105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/21B-10, 5/21B-80, 5/10-22.34, 5/10-22.34b, 5/22-6.5, and 5/24-1 et seq.

820 ILCS 55/ and 70/.

Duldulao v. St. Mary of Nazareth Hospital, 483 N.E.2d 956 (Ill.App.1, 1985), *aff’d in part and remanded* 505 N.E.2d 314 (Ill., 1987).

Kaiser v. Dixon, 468 N.E.2d 822 (Ill.App.2, 1984).

Molitor v. Chicago Title & Trust Co., 59 N.E.2d 695 (Ill.App.1, 1945).

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:35

# General Personnel

## Compliance with the Fair Labor Standards Act

Job Classifications

The Director 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 work week for Cooperative 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.

Overtime

The School Governing Board/Executive Council discourages overtime work by non-exempt employees. 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 Director or designee’s written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. Accurate and complete time sheets of actual hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Director.

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. Certificated employees may be suspended without pay in accordance with Governing Board/Executive Council policy 5:240, *Professional Personnel -* *Suspension*. Non-certificated employees may be suspended without pay in accordance with Governing Board/Executive Council policy 5:290, *Educational Support Personnel -* *Employment Termination and Suspensions*.

Implementation

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

LEGAL REF.: 820 ILCS 105/4a.

Fair Labor Standards Act, 29 U.S.C. §201 et seq., 29 C.F.R. Parts 516, 541, 548, 553, 778, and 785.

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:40

# General Personnel

## Communicable and Chronic Infectious Disease

The Director shall develop and implement procedures for managing known or suspected cases of a communicable and chronic infectious disease involving Cooperative employees that are consistent with State and federal law, Illinois Department of Public Health rules, and Governing Board/Executive Council policies.

An employee with a communicable or chronic infectious disease is encouraged to inform the Director immediately and grant consent to being monitored by the Cooperative’s Communicable and Chronic Infectious Disease Review Team. The Review Team, if used, provides information and recommendations to the Director concerning the employee’s conditions of employment and necessary accommodations. The Review Team 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 Governing Board/Executive Committee’s employment policies including sick and/or other leave, physical examinations, temporary and permanent disability, and termination.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12101 et seq.; 29 C.F.R. §1630.1 et seq.

Rehabilitation Act of 1973, 29 U.S.C. §791; 34 C.F.R. §104.1 et seq.

CROSS REF.: 2:150 (Committees), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:50

# General Personnel

## Drug- and Alcohol-Free Workplace

All Cooperative workplaces are drug- and alcohol-free workplaces. All employees shall be prohibited from:

1. Unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance while on participating district or school premises or while performing work for the Cooperative, and
2. Distribution, consumption, use, possession, or being under the influence of alcohol while on any participating district or school premises or while performing work for the Cooperative.

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.

As a condition of employment, each employee shall:

1. Abide by the terms of the Cooperative 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 Cooperative premises or while performing work for the Cooperative, no later than 5 calendar days after such a conviction.

In order to make employees aware of dangers of drug and alcohol abuse, the Cooperative will:

1. Provide each employee with a copy of the Cooperative Drug- and Alcohol-Free Workplace policy;
2. Post notice of the Cooperative Drug- and Alcohol-Free Workplace policy in a place where other rehabilitation 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 programs to provide information to Cooperative employees;
5. Establish a drug-free awareness program to inform employees about:
6. The dangers of drug abuse in the workplace,
7. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
8. The penalties that the Cooperative may impose upon employees for violations of this policy.

Cooperative Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination.

Alternatively, the Governing Board/Executive Council may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program.

The Governing Board/Executive Council 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 Cooperative 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 Director shall notify the appropriate State or federal agency from which the Cooperative receives contract or grant monies of the employee’s conviction within 10 days after receiving notice of the conviction.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12114.

Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15.

Drug-Free Workplace Act of 1988, 41 U.S.C. §701 et seq.

Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101 et seq.

Drug-Free Workplace Act, 30 ILCS 580/.

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:60

# General Personnel

## Expenses

The School Governing Board/Executive Council shall reimburse employees for expenses necessary for the performance of their duties, provided the expenses have been approved by the Director or designee. If the anticipated expense amount exceeds budgeted amounts, prior Governing Board/Executive Council approval is required.

Employees must submit to the Director an itemized, signed voucher showing the amount of actual expenses, attaching receipts to the voucher if possible. Expense vouchers shall be presented to the Governing Board/Executive Council in its regular bill process

LEGAL REF.: 105 ILCS 5/10-22.32.

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:60-AP

# General Personnel

## Administrative Procedure - Expenses

Registration Fees

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

Transportation Costs

The least expensive transportation shall be used. Employees will be reimbursed for:

1. Air travel at the coach or single class commercial airline rate. Copies of airline tickets must be attached to the expense voucher.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets will be attached to the expense voucher 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 personal automobile use in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed. Staff members should make every reasonable effort to share automobile travel when attending conferences.
4. Automobile rental costs when the vehicle’s use is warranted. The circumstances for such use must be explained on the expense voucher.
5. Taxis, airport limousines, or other local transportation costs.

Hotel/Motel Charges

Employees should request conference rate or “*mid‑fare”* room accommodations. A single room rate will be reimbursed. Other expenses incurred by employees will be reimbursed when specifically related to Cooperative business. The expense voucher or hotel bill must explain the types of expenses incurred.

Employees shall pay personal expenses that are charged to hotel room bills at check-out. If this is not possible, deductions for the charges should be made on the expense voucher. Hotel charges submitted for reimbursement should not exceed the guidelines established in the collective bargaining agreement.

Meal Charges

Meal charges to the Cooperative should represent “*mid‑fare*” selections for the hotel /meeting facility or general area and should not exceed amounts set forth in the collective bargaining agreement. Tips shall be included with the meal charges. Expense vouchers must explain the meal charges incurred and an itemized receipt.

Personal Charges

All personal travel costs must be excluded from the expense voucher.

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:70

# General Personnel

## Religious Holidays

The Director shall grant an employee’s request for time off to observe a religious holiday if the employee gives at least 5 days prior notice and the absence does not cause an undue hardship.

Employees may use earned vacation time, or personal leave to make up the absence, provided such time is consistent with the Cooperative’s operational needs. A per diem deduction may also be requested by the employee.

LEGAL REF.: Religious Freedom Restoration Act, 775 ILCS 35/5.

775 ILCS 5/2-101 and 5/2-102.

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:80

# General Personnel

## Court Duty

The Cooperative will pay full salary during the time an employee is absent due to court duty or, pursuant to a subpoena, serves as a witness or has a deposition taken in any school-related matter pending in court.  The Cooperative will deduct any fees that an employee receives for such duties, less mileage and meal expenses, from the employee’s compensation, or make arrangements for the employee to endorse the fee check to the Cooperative. An employee should give at least 5 days’ prior notice of pending court duty to the Cooperative.

LEGAL REF.: 105 ILCS 5/10-20.7.

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:90

# General Personnel

## Abused and Neglected Child Reporting

Any Cooperative employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability shall immediately: (1) report such a case to the Illinois Department of Children and Family Services on its Child Abuse Hotline 800/25-ABUSE or 217/524-2606, and (2) follow any additional directions given by the Illinois Department of Children and Family Services to complete a report. The employee shall also promptly notify the Director or Building Principal that a report has been made. All Cooperative employees shall sign the *Acknowledgement of Mandated Reporter Status* form provided by the Illinois Department of Child and Family Services (DCFS) and the Director or designee shall ensure that the signed forms are retained.

Any Cooperative 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 Cyber Tipline 800/843-5678, or online at www.cybertipline.com. The Director or Building Principal shall also be promptly notified of the discovery and that a report has been made.

The Director shall execute the requirements in Governing Board/Executive Council policy 5:150, *Personnel Records*, whenever another school district requests a reference concerning an applicant who is or was a Cooperative employee and was the subject of a report made by a Cooperative employee to DCFS.

The Director shall notify the State Superintendent and the Regional Superintendent in writing when he or she has reasonable cause to believe that a certificate holder was dismissed or resigned from the Cooperative as a result of an act that made a child an abused or neglected child. The Director must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the certificate holder.

The Director or designee shall provide staff development opportunities for school personnel working with students in grades kindergarten through 8, in the detection, reporting, and prevention of child abuse and neglect.

Each individual Governing Board/Executive Council member must, if an allegation is raised to the member during an open or closed Governing Board/Executive Council meeting that a student is an abused child as defined in the Act, direct or cause the Governing Board/Executive Council to direct the Director or other equivalent school administrator to comply with the Act’s requirements concerning the reporting of child abuse.

LEGAL REF.: 105 ILCS 5/10-21.9.

20 ILCS 1305/1-1 et seq.

20 ILCS 2435/.

325 ILCS 5/.

CROSS REF.: 2:20 (Powers and Duties of the School Governing Board/Executive Committee), 5:20 (Workplace Harassment Prohibited), 5:100 (Staff Development Program), 5:150 (Personnel Records), 6:120 (Education of Children with Disabilities), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:100

# General Personnel

## Staff Development Program

The Director 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 certificated staff members shall be designed to effectuate the Cooperative and School Improvement Plans so that student learning objectives meet or exceed goals established by the Cooperative and State.

The staff development program shall provide, at a minimum, at least once every 2 years, the in-service training of certificated 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 2 years, the in-service training of all Cooperative staff on educator ethics, teacher-student conduct, and school employee-student conduct.

The staff development program shall provide, at a minimum, once every 2 years, the in-service training of all Cooperative staff by a person with expertise on anaphylactic reactions and management of symptoms of shock

At least every 2 years, the Director or designee must arrange an in-service for school personnel who work with students; conducted by persons with the necessary expertise, on domestic and sexual violence and the needs of expectant and parenting youth. The in-service shall include: (a) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (b) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs and services as needed, and (c) implementing the Cooperative’s policies, procedures, and protocols with regard to such youth, including confidentiality.

At least every 2 years, the Director or designee shall arrange 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 and expectant parents.

The Director or designee shall include training in the staff development program that, at a minimum provides Cooperative staff with a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS) and the availability of appropriate sources of counseling and referral

The staff development program shall provide school personnel who work with students in grades 7 through 12 training to identify the warning signs of suicidal behavior in adolescents and teens along with appropriate intervention and referral techniques.

Annually, the staff supervising students during their use of a physical fitness facility must be trained in cardio-pulmonary resuscitation and the use of an automatic external defibrillator.

LEGAL REF.: 105 ILCS 5/2-3.60, 5/10-22.39, 5/10-23.12, 5/24-5, and 110/3.

745 ILCS 49/, Good Samaritan Act.

CROSS REF.: 3:40 (Director), 3:50 (Administrative Personnel Other Than the Director), 4:160 (Environmental Quality of Buildings and Grounds), 5:90 (General Personnel - Abused and Neglected Child Reporting), 5:120 (Ethics and Conduct), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 7:285 (Food Allergy Management Program), 7:290 (Suicide Awareness and Prevention Program)

ADMIN PROC.: 4:60-AP (Environmental Quality of Buildings and Grounds), 4:170-AP6 (Plan for Responding to a Medical Emergency at an Indoor Physical Fitness Facility), 5:100-AP (Staff Development Program), 5:150-AP (Personnel Records), 7:250-AP1 (Measures to Control the Spread of Head Lice at School)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:120

# General Personnel

## Ethics and Conduct

All Cooperative employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others. Any employee who sexually harasses a student or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

The following employees must file a “Statement of Economic Interests” as required by the Illinois Governmental Ethics Act:

1. Director;
2. Building Principal;
3. Head of any department;
4. Any employee responsible for negotiating contracts, including collective bargaining agreement, 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

Governing Board/Executive Council policy 2:105, *Ethics and Gift Ban*, applies to all Cooperative employees.  Students shall not be used in any manner for promoting a political candidate or issue.

Outside Employment and Conflict of Interest

No Cooperative employee shall be directly or indirectly interested in any contract, work, or business of the Cooperative, or in the sale of any article by or to the Cooperative, except when the employee is the author or developer of instructional materials listed with the State Board of Education and ADOPTED: SEPTEMBER 3, 2013 for use by the School Governing Board/Executive Committee. An employee having an interest in instructional materials must file an annual statement with the Governing Board/Executive Council Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the Cooperative nor shall an employee act as an agent of any business in any transaction with the Cooperative.

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.

LEGAL REF.: U.S. Constitution, First Amendment.

5 ILCS 420/4A-101 and 430/.

50 ILCS 135/.

105 ILCS 5/10-22.39, 5/22-5, and 5/24-22.

775 ILCS 5/5A-102.

Pickering v. School 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), 5:100 (Staff Development Program)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:125

# General Personnel

## Personal Technology and Social Media; Usage and Conduct

Definitions

**Includes** - Means “includes without limitation” or “includes, but is not limited to.”

**Social media** - Media for social interaction, using highly accessible communication techniques through the use of web-based and mobile technologies to turn communication into interactive dialogue. This includes *Facebook*, *LinkedIn*, *MySpace*, *Twitter*,and *YouTube*.

**Personal technology** - Any device that is not owned or leased by the Cooperative or otherwise authorized for Cooperative use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or information networks. This includes smartphones such as BlackBerry®, Android®, iPhone®, and other devices, such as, iPads® and iPods®.

Usage and Conduct

All Cooperative employees who use personal technology and social media shall:

1. Adhere to the high standards for appropriate school relationships in policy 5:120, *Ethics and Conduct* at all times, regardless of the ever-changing social media and personal technology platforms available. This includes Cooperative employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by policy 5:20, *Workplace Harassment Prohibited*; 5:120, *Ethics and Conduct*; 6:235, *Access to Electronic Networks*; 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.
2. Choose a Cooperative-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Comply with policy 5:130, *Responsibilities Concerning Internal Information*. This means that personal technology and social media may not be used to share, publish, or transmit information about or images of students and/or Cooperative employees without proper approval. For Cooperative employees, proper approval may include implied consent under the circumstances.
5. Refrain from using the Cooperative’s logos without permission and follow Governing Board/Executive Council policy 5:170, *Copyright*, and all Cooperative copyright compliance procedures.
6. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to the school environment or its operation.
7. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students’ viewing of inappropriate Internet materials through the Cooperative employee’s personal technology or social media. The Governing Board/Executive Council expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees’ personal technology and social media.
8. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the Cooperative for any losses, costs, or damages, including reasonable attorney fees, incurred by the Cooperative relating to, or arising out of, any violation of this policy.

The Director shall:

1. Inform Cooperative employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Governing Board/Executive Council policy 5:120, *Ethics and Conduct*.
2. Direct Building Principal to annually:
3. Provide their building staff with a copy of this policy.
4. Inform their building staff about the importance of maintaining high standards in their school relationships.
5. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
6. Build awareness of this policy with students, parents, and the community.
7. Ensure that no one for the Cooperative, or on its behalf, requests of an employee or applicant access in any manner to his or her social networking website or requests passwords to such sites.
8. Periodically review this policy and any procedures with Cooperative employee representatives and electronic network system administrator(s) and present proposed changes to the Governing Board/Executive Council.

LEGAL REF.: 105 ILCS 5/21B-75 and 5/21B-80.

Ill. Human Rights Act, 775 ILCS 5/5A-102.

Code of Ethics for Ill. Educators, 23 Ill.Admin.Code §22.20.

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Pickering v. High School Dist. 205, 391 U.S. 563 (1968).

Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.: 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:120 (Ethics and Conduct), 5:130 (Responsibilities Concerning Internal Information), 5:150 (Personnel Records), 5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:340 (Student Records)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:130

# General Personnel

## Responsibilities Concerning Internal Information

Cooperative 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 Governing Board/Executive Council meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by the Cooperative or used by the Cooperative or its employees. The Director or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

LEGAL REF.: 20 U.S.C. §1232g.

45 C.F.R. §164.502.

5 ILCS 140/1 et seq.

50 ILCS 205/1 et seq.

105 ILCS 10/1 et seq.

820 ILCS 40/1 et seq.

CROSS REF.: 2:140 (Communications To and From the Governing Board/Executive Committee), 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records)

ADOPTED: SEPTEMBER 3, 2013

July, 2013 5:135

# General Personnel

**Staff-Student Interactions**

The Board requires that all VASE employees, whether administrative, certified, or non-certified, maintain a professional, ethical relationship with students that is conducive to an effective, safe learning environment; and that staff members act as role models for students at all times, whether or not on or off school property and both during and outside of school hours.

The Board does not seek to interfere with the lawful, private, off-duty conduct of its employees. Off-duty conduct, however, may occasionally affect an employee’s ability to effectively perform the duties of his or her job by creating conflict of interest, office or classroom distractions, misunderstanding, the perception of favoritism, or complaints of sexual harassment, discrimination, favoritism, and breach of confidentially, to name only a few examples. At times, off-duty conduct can lead to liability or other legal responsibilities of employee or the Board.

The Board understands that many personal relationships are entirely appropriate and develop through family or neighborhood interactions with respect and adherence to the appropriate standards of professional conduct. To the degree that such relationships develop or exist, it is the staff’s responsibility to ensure that such relationships continue along and within appropriate boundaries.

The relationship between the school employee and the student should be one of professional cooperation and respect. It is the policy of the Board to prohibit any type of close personal relationship between a school employee and a student that is unprofessional.

Staff members are prohibited from the following:

1. Inappropriate personal communication with a student (via phone, email, letters, notes, text messaging, social networking sites and/or other electronic or peer-like communications, etc.) unrelated to coursework or official school matters, unless the student is relative of the employee.
2. Making derogatory comments to students regarding the school and/or its staff
3. Discussing or revealing to students personal matters about their private lives or inviting students to do the same in a manner that diverges from the educational role of the staff member (such as school support service personnel trained and certified to provide counseling), or in a manner that may imply or describe matters of a sexual nature, matters involving tobacco, alcohol or drugs, or mattes which causes the student to be unduly burdened by the information or request for information (and such examples may include personal health, family problems, employment concerns, etc.).
4. Extended counseling of students on personal problems relating to sexual behavior, substance abuse, mental or physical health and/or family relationships unless employed as a school psychologist, school social worker, or other counselor whose purpose in the school is to provide such services. Counseling is defined as advice or guidance provided by a professional trained and certified to provide counseling in the school setting.
5. Inappropriate physical displays of affection to students, flirting, or making suggestive comments or gestures.
6. Giving inappropriate personal or individualized gifts to students.
7. Conducting social activities on a one-on-one basis outside of school with students or students from the general student population for special treatment (e.g., gifts, dinners, and rides) without prior consent of the student’s parent and advance notice to the Director.
8. Providing alcohol or drugs to students.
9. Sending students on personal errands outside of school.
10. Disclosing information about a student to any unauthorized person.
11. Associating with students in any situation or activity that could be considered sexually suggestive or involves the presence of tobacco, alcohol, or drugs.
12. Engaging in unprofessional conduct with the parents of students, including but not limited to conduct or communication that may be viewed as sexual in nature, conduct or communication that may derogatory of the school or school staff, disclosure of confidential information, or other conduct which may interfere with educational mission of the Board.

Even if the student participated willingly or the student’s parents or guardians provided permission for the student’s participation in the activity, illegal, unethical or unprofessional activity with students is against Board policy.

An employee seeking an exception to a prohibited behavior must obtain consent from their supervising administrator.

If a current student contacts a staff member using a social media site, the employee is not to reply to the message and immediately reject any initiation the student may have sent.

It is also the policy of the Board to prohibit any type of sexual relationship, sexual contact, or sexually-nuanced behavior between a school employee and an enrolled student. It also applies regardless of whether the student or the school employee initiated the sexual behavior, or whether or not the student welcomes the sexual behavior and/or reciprocates the attention.

The Director and/or Board shall promptly investigate all reasonable allegations of prohibited staff/student relationships according to the Collective Bargaining Agreement steps for addressing complaints against staff.

Any violation of the policy may result in notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the Board in accordance with any applicable collectively negotiated agreement and law, up to and including termination of employment. Inappropriate employee conduct does not need to rise to the level of criminal activities for such conduct to be in violation of Board rules and subject to disciplinary sanctions.

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as students, VASE employees, or third parties who have knowledge of r witness any possible occurrence of inappropriate staff-student relations, shall report the incident to the employee’s supervisor or VASE Director. Anonymous complaints shall be investigated by the Director to the extent practicable.

Any employee having knowledge of or reasonable suspicion that another employee has or may have engaged in inappropriate conduct with a student that may constitute child abuse must also follow the reporting procedures for such allegations.

VASE shall promptly investigate all complaints of inappropriate stuff-student relations and take prompt corrective action to stop such conduct if it occurs.

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:140

# General Personnel

## Solicitations By or From Staff

Cooperative employees shall not solicit donations or sales, nor shall they be solicited for donations or sales, on school grounds without prior approval from the Director.

CROSS REF.: 8:90 (Parent Organizations and Booster Clubs)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:150

# General Personnel

## Personnel Records

The Director or designee shall manage the maintenance of personnel records in accordance with State and federal law and Governing Board/Executive Council policy. Records, as determined by the Director, are retained for all employment applicants, employees, and former employees given the need for the Cooperative 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 Cooperative’s administrative office, under the Director’s direct supervision.

Access to personnel records is available as follows:

1. An employee will be given access to his or her personnel records according to State law and guidelines developed by the Director.
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 Governing Board/Executive Council policy 2:250, *Access to District Public Records*.

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

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

LEGAL REF.: 745 ILCS 46/10.

820 ILCS 40/.

23 Ill.Admin.Code §1.660.

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

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:170

# General Personnel

## Copyright

Works Made for Hire

The Director 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 Governing Board/Executive Council 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 Cooperative 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 Cooperative’s copyright compliance procedures and to obey the copyright laws. The Cooperative is not responsible for any violations of the copyright laws by its staff or students. A staff member should contact the Director or designee whenever the staff member is uncertain about whether using or copying material complies with the Cooperative’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 Director or designee, install or download any program on a Cooperative-owned computer. At no time shall it be necessary for a Cooperative staff member to violate copyright laws in order to properly perform his or her duties.

LEGAL REF.: Federal Copyright Law of 1976, 17 U.S.C. §101 et seq.

105 ILCS 5/10-23.10.

CROSS REF.: 6:235 (Access to Electronic Networks)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:180

# General Personnel

## Temporary Illness or Temporary Incapacity

A temporary illness or temporary incapacity is an illness or other capacity of ill-being that renders an employee physically or mentally unable to perform assigned duties. During such a period, the employee can use accumulated sick leave benefits. However, income received from other sources (worker’s compensation, Cooperative-paid insurance programs, etc.) will be deducted from the Cooperative’s compensation liability to the employee. The Governing Board/Executive Committee’s intent is that in no case will the employee, who is temporarily disabled, receive more than 100 percent of their gross salary.

Those insurance plans privately purchased by the employee and to which the Cooperative does not contribute, are not applicable to this policy.

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 Governing Board/Executive Council may consider beginning dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act. The Director 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.

Any employee may be required to have an examination, at the Cooperative’s expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervisor to perform health examinations if the examination is job-related and consistent with business necessity.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §12102.

105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.

Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (Ill.App.1, 1965).

School District No. 151 v. ISBE, 507 N.E.2d 134 (Ill.App.1, 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: SEPTEMBER 3, 2013

July 2013 5:185

# General Personnel

## Family and Medical Leave

Leave Description

An eligible employee may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act, for up to a combined total of 12 weeks each year, beginning September 1 and ending August 31 of the next year.

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 service member (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 service member begins.

While FMLA leave is normally unpaid, the Cooperative will substitute an employee’s accrued compensatory time-off and/or paid leave for unpaid FMLA leave. All policies and rules regarding the use of paid leave apply when paid leave is substituted for unpaid FMLA leave. Any substitution of paid leave for unpaid FMLA leave will count against the employee’s FMLA leave entitlement. Use of FMLA leave shall not preclude the use of other applicable unpaid leave that will extend the employee’s leave beyond 12 weeks, provided that the use of FMLA leave shall not serve to extend such other unpaid leave. Any full workweek period during which the employee would not have been required to work, including summer break, winter break and spring break, is not counted against the employee’s FMLA leave entitlement.

FMLA leave is available in one or more of the following instances:

1. The birth and first-year care of a son or daughter.
2. The adoption or foster placement of a son or daughter, including absences from work that are necessary for the adoption or foster care to proceed and expiring at the end of the 12-month period beginning on the placement date.
3. The serious health condition of an employee’s spouse, child, or parent.
4. The employee’s own serious health condition that makes the employee unable to perform the functions of his or her job.
5. The existence of a qualifying exigency arising out of the fact that the employee’s spouse, child, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation. A “covered military member” must be either a member of a Reserve component or a retired member of the regular Armed Forces or Reserve. “Qualifying exigencies” exist in the following categories: short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, rest and recuperation, post-deployment activities, and additional activities as provided in the FMLA regulations.
6. To care for the employee’s spouse, child, parent, or next of kin who is a covered service member with a serious injury or illness. A “covered service member” is a member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty for which he or she is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list.

If spouses are employed by the Cooperative, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above, or to care for a parent with a serious health condition, or a combined total of 26 weeks for item 6 above.

An employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with FMLA regulations.

Eligibility

To be eligible for FMLA leave, an employee must be employed at a worksite where at least 50 employees are employed within 75 miles. In addition, one of the following provisions must describe the employee:

1. The employee has been employed by the Cooperative for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the Cooperative need not be consecutive. However, the Cooperative will not consider any period of previous employment that occurred more than 7 years before the date of the most recent hiring, except when the service break is due to National Guard or Reserve military service or when a written agreement exists concerning the Cooperative’s intention to rehire the employee.
2. The employee is a full-time classroom teacher.

Requesting Leave

If the need for the FMLA leave is foreseeable, an employee must provide the Director or designee with at least 30 days’ advance notice before the leave is to begin. If 30 days’ advance notice is not practicable, the notice must be given as soon as practicable. The employee shall make a reasonable effort to schedule a planned medical treatment so as not to disrupt the Cooperative’s operations, subject to the approval of the health care provider administering the treatment. The employee shall provide at least verbal notice sufficient to make the Director or designee aware that he or she needs FMLA leave, and the anticipated timing and duration of the leave. Failure to give the required notice for a foreseeable leave may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

Certification

Within 15 calendar days after the Director or designee makes a request for certification for a FMLA leave, an employee must provide one of the following:

1. When the leave is to care for the employee’s covered family member with a serious health condition, the employee must provide a certificate completed by the family member’s health care provider.
2. When the leave is due to the employee’s own serious health condition, the employee must provide a certificate completed by the employee’s health care provider.
3. When the leave is to care for a covered service member with a serious illness or injury, the employee must provide a certificate completed by an authorized health care provider for the covered service member.
4. When the leave is because of a qualified exigency, the employee must provide a copy of the covered military member’s active duty orders or other documentation issued by the military indicating that the military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member’s active duty service.

The Cooperative may require an employee to obtain a second and third opinion at its expense when it has reason to doubt the validity of a medical certification.

The Cooperative may require recertification at reasonable intervals, but not more often than once every 30 days. Regardless of the length of time since the last request, the Cooperative may request recertification when the, (1) employee requests a leave extension, (2) circumstances described by the original certification change significantly, or (3) Cooperative receives information that casts doubt upon the continuing validity of the original certification. Recertification is at the employee’s expense and must be provided to the Cooperative within 15 calendar days after the request. The Cooperative may request recertification every 6 months in connection with any absence by an employee needing an intermittent or reduced schedule leave for conditions with duration in excess of 6 months.

Failure to furnish a complete and sufficient certification on forms provided by the Cooperative may result in a denial of the leave request.

Continuation of Health Benefits

During FMLA leave, employees are entitled to continuation of health benefits that would have been provided if they were working. Any share of health plan premiums being paid by the employee before taking the leave, must continue to be paid by the employee during the FMLA leave. The Cooperative’s obligation to maintain health insurance coverage ceases if an employee’s premium payment is more than 30 days late and the Cooperative notifies the employee at least 15 days before coverage will cease.

Changed Circumstances and Intent to Return

An employee must provide the Director or designee reasonable notice of changed circumstances (i.e., within 2 business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Director or designee, taking into consideration all of the relevant facts and circumstances related to an individual’s leave situation, may ask an employee who has been on FMLA leave for 8 consecutive weeks whether he or she intends to return to work.

Return to Work

If returning from FMLA leave occasioned by the employee’s own serious health condition, the employee is required to obtain and present certification from the employee’s health care provider that he or she is able to resume work.

An employee returning from FMLA leave will be given an equivalent position to his or her position before the leave, subject to: (1) permissible limitations the Cooperative may impose as provided in the FMLA or implementing regulations, and (2) the Cooperative’s reassignment policies and practices.

Classroom teachers may be required to wait to return to work until the next semester in certain situations as provided by the FMLA regulations.

Implementation

The Director or designee shall ensure that: (1) all required notices and responses to leave requests are provided to employees in accordance with the FMLA; and (2) this policy is implemented in accordance with the FMLA. In the event of a conflict between the policy and the FMLA or its regulations, the latter shall control. The terms used in this policy shall be defined as in the FMLA regulations.

LEGAL REF.: Family and Medical Leave Act, 29 U.S.C. §2601 et seq., 29 C.F.R. Part 825.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:310 (Compensatory Time-Off), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: DECEMBER 2, 2013

July 2013 5:188

# General Personnel

**Attacks on School Personnel**

The Director or designee shall report all incidents of aggravated battery committed against teachers, teacher personnel, administrative personnel or educational support personnel to the local law enforcement authorities immediately after the occurrence of the attack and to the Department of the State Police’s Uniform Crime Reporting Program no later than 3 days after the occurrence of the attack.

Teachers, teacher personnel, administrative personnel or educational support personnel must submit a complaint detailing the incident to the Director or designee on the same date the incident occurred.

Complaints under this section shall be made upon the forms and in accordance with the procedures developed by the Director of Special Education for that purpose.

LEGAL REF.: 105 ILCS 5/10-21.7 *Attacks on School Personnel*

720 ILCS 5/12-3 Battery

720 ILCS 5/12-4 Aggravated Battery

ADOPTED: DECEMBER 2, 2013

July 2013 5:190

# Professional Personnel

## Teacher Qualifications

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

1. Each teacher must:
2. Have a valid Illinois certificate that legally qualifies the teacher for the duties for which the teacher is employed.
3. Provide the Cooperative Office with a complete transcript of credits earned in institutions of higher education.
4. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the Cooperative Office with a transcript of any credits earned since the date the last transcript was filed.
5. Notify the Director of any change in the teacher’s transcript.
6. All teachers with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and mathematics) must be *highly qualified* for those assignments as determined by State and federal law.

The Director or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately certified and *highly qualified* for their assignments;
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

LEGAL REF.: 20 U.S.C. §6319.

34 C.F.R §200.55, 56, 57, and 61.

105 ILCS 5/10-20.15, 5/21-1, 5/21-10, 5/21-11.4, and 5/24-23.

23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

 ADOPTED: DECEMBER 2, 2013

July 2013 5:200

# Professional Personnel

## Terms and Conditions of Employment and Dismissal

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

School Year and Day

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

Teachers are required to work the school day adopted by the Governing Board/Executive Council. Teachers employed for at least 4 hours per day shall receive a duty-free lunch equivalent to the student lunch period, or 30 minutes, whichever is longer.

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

Salary

Teachers shall be paid according to the salary schedule adopted by the Governing Board/Executive Council, but in no case less than the minimum salary provided by the School Code. Teachers shall be paid at least monthly on a 10- or 12-month basis.

Assignments and Transfers

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

Dismissal

The Cooperative will follow State law when dismissing a teacher.

Evaluation

The Cooperative’s teacher evaluation system will be conducted under the plan developed pursuant to State law.

On an annual basis, the Director will provide the Governing Board/Executive Council with a written report which outlines the results of the Cooperative’s teacher evaluation system.

LEGAL REF.: 105 ILCS 5/10-19, 5/18-8, 5/22.4, 5/24-16.5, 5/24-2, 5/24-8, 5/24-9, 5/24-11, 5/24-12, 5/24-21, 5/24A-1 through 24A-20.

820 ILCS 260/1 et seq.

Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487(1985).

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

ADOPTED: DECEMBER 2, 2013

July 2013 5:210

# Professional Personnel

## Resignations

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

LEGAL REF.: 105 ILCS 5/24-14.

Park Forest Heights School Dist. v. State Teacher Certification Bd., 842 N.E.2d 1230 (Ill.App.1, 2006).

ADOPTED: DECEMBER 2, 2013

August 2013 5:220

# Professional Personnel

## Substitute Teachers

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

A substitute teacher must hold either a valid teaching or substitute certificate and may teach in the place of a certified 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 Cooperative during the school year. However there is a limit on the number of days that a substitute teacher may teach for any one certified teacher under contract with the Cooperative in the same school year. The following limitations apply:

1. A substitute teacher holding a substitute certificate may teach only for a period not to exceed 90 school days.
2. A teacher holding a valid early childhood, elementary, high school, or special certificate may teach only for a period not to exceed 120 school days.

The Teachers’ Retirement System (TRS) in Illinois limits a substitute teacher who is a TRS annuitant to substitute teaching 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 Director has certified that a personnel shortage exists.

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

Emergency Situations

A substitute teacher may teach when no certified teacher is under contract with the Board if the Cooperative 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 Director will notify the appropriate Regional Office of Education within 5 business days after the employment of a substitute teacher in an emergency situation.

LEGAL REF.: 105 ILCS 5/21-9, 5/21B-20(3), and 24-5.

23 Ill.Admin.Code §1.790.

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

ADOPTED: DECEMBER 2, 2013

August 2013 5:230

# Professional Personnel

## 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 Director 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 Governing Board/Executive Council policies and administrative procedures on student conduct and discipline.

When a student’s behavior is unacceptable, the teacher should first discuss the matter with the student. If the unacceptable behavior continues, the teacher should consult with the Building Principal 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 Governing Board/Executive Council 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), 7:190 (Student Discipline), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: DECEMBER 2, 2013

August 2013 5:240

# Professional Personnel

## Suspension

Suspension Without Pay

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

Misconduct that is detrimental to the Cooperative includes:

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

At the request of the professional employee made within 5 calendar days of receipt of a pre-suspension notification, the Governing Board/Executive Council or Governing Board/Executive Committee-appointed hearing examiner will conduct a pre-suspension hearing.  The Governing Board/Executive Councilor its designee shall notify the professional employee of the alleged charges and the date and time of the hearing. At the pre-suspension hearing, the professional employee or his/her representative may present evidence.

Suspension With Pay

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

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

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay to the Cooperative all compensation and the value of all benefits received by the employee during the suspension.

LEGAL REF.: 5 ILCS 430 et seq.

105 ILCS 5/24-12.

Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487 (1985).

Barszcz v. Community College District No. 504, 400 F.Supp. 675 (N.D. Ill., 1975).

Massie v. East St. Louis School District No.189, 561 N.E.2d 246 (Ill.App.5, 1990).

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

ADOPTED: DECEMBER 2, 2013

August 2013 5:250

# Professional Personnel

## 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 employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

Sick and Bereavement Leave

Each full-time professional staff member is granted 10 days sick leave each school year at full pay. Unused days are allowed to accumulate to 180 days. Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption.

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

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

Sabbatical Leave

Sabbatical leave may be granted in accordance with the School Code.

Personal Leave

Professional staff members are granted two personal leave days per year. A personal 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.

The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, personal leave requests should be submitted to the Building Principal 3 days in advance of the requested date,
2. No personal leave days may be used immediately before or immediately after a holiday unless the Director grants prior approval,
3. Personal leave may not be used in increments of less than one-half day,
4. Personal leave days are subject to a substitute’s availability,
5. Personal leave days may not be used during the first and/or last 5 days of the school year,
6. Personal leave days may not be used on in-service and/or institute training days, and
7. Personal leave may not be used by more than 10% of the teaching staff in each building at the same time.

Leave of Absence Without Pay

The Governing Board/Executive Council 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 Governing Board/Executive Council.

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.

Child-Rearing Leave

The Governing Board/Executive Council shall grant a professional staff member’s request for a non-paid, child-rearing leave, not to exceed the balance of the school year plus one additional school year (but in no event shall such leave exceed 3 semesters), provided the request complies with this policy. Nothing in this section shall prohibit a professional staff member from using paid sick days as provided in this policy.

A teacher must request, if possible, a child-rearing leave by notifying the Director in writing no later than 90 days before the requested leave’s beginning date. The request should include the proposed leave dates. The leave shall end before a new school year begins or before the first day of school after winter recess.

Subject to the insurance carrier’s approval, the teacher may maintain insurance benefits at his or her own expense during a child-rearing leave.

A professional staff member desiring to return before the leave’s expiration will be assigned to an available vacancy for which the teacher is qualified, subject to scheduling efficiency and instruction continuity.

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 Leave

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.

Leave for Employment in Department of Defense

The Governing Board/Executive Council may grant teachers a leave of absence to accept employment in a Department of Defense overseas school.

School Visitation Leave

An eligible professional staff member is entitled to 8 hours during any school year, no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the teacher’s child, if the conference or activity 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 Director shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act.

## Leaves for Victims of Domestic or Sexual Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual 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 Cooperative 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 Governing Board/Executive Council will grant: (1) an unpaid leave of absence to an elected officer of a State or national teacher organization that represents teachers in collective bargaining negotiations, (2) twenty days of paid leave of absence per year to a trustee of the Teachers’ Retirement System in accordance with 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 Cooperative, or his or her designee, to attend meetings, workshops, or seminars as described in 105 ILCS 5/24-6.2.

LEGAL REF.: 20 ILCS 1805/30.1 et seq.

105 ILCS 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.

820 ILCS 147/1 et seq. and 180/1 et seq.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:330 (Educational Support Personnel - Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: DECEMBER 2, 2013

August 2013 5:260

# Professional Personnel

## Student Teachers/Interns

The Director is authorized to accept students from university-approved teacher-training or school specialist programs to do student teaching or internships in the Cooperative. Prior to a student teacher or intern beginning any field experiences in the Cooperative, the Director or designee will ensure that the Cooperative performs a complete criminal history records check pursuant to 105 ILCS 5/10-21.9; i.e. *background check* or *background investigation*.

A complete criminal history records check pursuant to 105 ILCS 5/10-21.9 shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105, amended by 97-154).

Each student teacher/intern must provide written authorization for, and pay the costs of, his or her criminal history records check (including any applicable vendor’s fees), and the Director or designee will provide each student teacher or intern with a copy of his or her report.

Assignment

The Director or designee shall be responsible for coordinating placements of all student teachers and interns within the Cooperative. Student teachers/interns should be assigned to supervising teachers/school specialists whose qualifications are acceptable to the Cooperative and the students’ respective colleges or universities. A teacher/specialist may be eligible for Continuing Professional Development Units (CPDU) for supervising a student teacher, intern, or teacher education candidate in clinical supervision.

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

Uniform Conviction Information Act, 20 ILCS 2635/1.

105 ILCS 5/21-14(e)(3)(E)(viii) and 5/10-22.34.

23 Ill.Admin.Code § 25.875.

CROSS REF.: 5:190 (Teacher Qualifications)

ADOPTED: DECEMBER 2, 2013

August 2013 5:270

# Educational Support Personnel

## Employment At-Will, Compensation, and Assignment

Employment At-Will

Unless otherwise specifically provided, Cooperative employment is at-will, meaning that employment may be terminated by the Cooperative or employee at any time for any reason, other than a reason prohibited by law, or no reason at all. Nothing in School Governing Board/Executive Council policy is intended or should be construed as altering the employment at-will relationship.

Exceptions to employment at-will may include employees who are employed annually, have an employment contract, or are otherwise granted a legitimate interest in continued employment. The Director is authorized to make exceptions to employing non-certificated employees at-will but shall maintain a record of positions or employees who are not at-will and the reason for the exception.

Compensation

The Governing Board/Executive Council 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 Director is authorized to make assignments and transfers of educational support personnel.

LEGAL REF.: 105 ILCS 5/10-22.34 and 5/10-23.5.

Cook v. Eldorado Community Unit School District, No. 03-MR-32 (Ill.App.5, 2004).

Duldulao v. St. Mary of Nazareth Hospital, 483 N.E. 2d 956 (Ill.App.1, 1985), *aff’d in part and remanded*, 505 N.E.2d 314 (Ill. 1987).

Kaiser v. Dixon, 468 N.E. 2d 822 (Ill.App.2, 1984).

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment) 5:35 (Compliance with the Fair Labor Standards Act), 5:290 (Educational Support Personnel - Employment Termination and Suspensions), 5:310 (Educational Support Personnel - Compensatory Time-Off)

ADOPTED: DECEMBER 2, 2013

August 2013 5:280

# Educational Support Personnel

## 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 Governing Board/Executive Council policies as they may be changed from time to time at the Governing Board/Executive Committee’s sole discretion.

Paraprofessionals and Teacher Aides

“Paraprofessionals” and “teacher aides” are non-certificated personnel with instructional duties; the terms are synonymous. Service as a paraprofessional or teacher aide requires a “statement of approval” issued by the Illinois State Board of Education (ISBE), unless the individual holds certification of at least a bachelor’s degree, a professional vocational certificate, is completing an approved clinical experience, and/or is student teaching.

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

Non-certificated Personnel Working with Students Performing Non-Instructional Duties

Non-certificated 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; As supervisors, chaperones, or sponsors for non-academic school activities; or
2. For non-teaching duties not requiring instructional judgment or student evaluation.

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

LEGAL REF.: No Child Left Behind Act of 2001, 20 U.S.C. §6319(c).

34 C.F.R. §§200.58 and 200.59.

105 ILCS 5/10-22.34, 5/10-22.34a, 5/10-22.34b, and 25/2.

625 ILCS 5/6-104 and 5/6-106.1.

23 Ill.Admin.Code §§25.510, 25.520.

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

ADOPTED: DECEMBER 2, 2013

August 2013 5:285

# Educational Support Personnel

## Drug and Alcohol Testing for Commercial Vehicle Drivers

The Cooperative shall adhere to federal law and regulations requiring a drug and alcohol testing program for commercial vehicle drivers.

This program shall comply with the requirements of federal law. The Director or designee shall adopt and enact regulations consistent with the federal regulations, defining the circumstances and procedures for the testing.

LEGAL REF.: 49 U.S.C. §31301 et seq., Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991).

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: DECEMBER 2, 2013

August 2013 5:290

# Educational Support Personnel

## Employment, Termination, and Suspensions

Resignation

An employee is requested to provide 2 weeks’ notice of a resignation. A resignation notice cannot be revoked once given.

Non-RIF Dismissal

The Cooperative may terminate an at-will employee at any time for any or no reason, but not for a reason prohibited by State or 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 Director is responsible for making dismissal recommendations to the School Governing Board/Executive Council consistent with the Governing Board/Executive Council’s goal of having a highly qualified, high performing staff.

Reduction in Force and Recall

This section is applicable whenever the Governing Board/Executive Council decides 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, an educational support employee is removed, dismissed, or his or her hours are reduced.

The Governing Board/Executive Council shall use a seniority list to determine the order of dismissal or removal. The seniority list, categorized by positions, shows the length of continuing service of each full-time educational support employee. The employee with the shorter length of continuing service within the respective category of position shall be dismissed first.

Except as provided below, written notice will be given the employee by certified mail, return receipt requested, at least 30 days before the employee is removed or dismissed, or his or her hours are reduced, together with a statement of honorable dismissal and the reason therefore if applicable. The prior written notice will be extended to at least 90 days if the lay-off is due to the Cooperative entering into a contract with a third party for non-instructional services. The prior written notice will be shortened to at least 5 days before an employee’s hours are reduced as a result of an unforeseen reduction in the student population. Any vacancies for the following school term or within one calendar year from the beginning of the following school term, shall be offered to the employees so removed or dismissed from that category or any other category of position provided they are qualified to hold such positions.

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

Except as provided below, the Director 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 Director’s judgment, the employee’s presence is detrimental to the Cooperative.

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.

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay to the Cooperative all compensation and the value of all benefits received by the employee during the suspension. The Director will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 5 ILCS 430 et seq.

105 ILCS 5/10-22.34c and 5/10-23.5.

820 ILCS 105/4a.

CROSS REF.: 5:240 (Professional Personnel - Suspension), 5:270 (Educational Support Personnel - Employment At-Will, Compensation, and Assignment)

ADOPTED: DECEMBER 2, 2013

August 2013 5:300

# Educational Support Personnel

## Schedules and Employment Year

The Director shall supervise a process for setting work schedules and an employment year for educational support employees in accordance with State and federal law, Governing Board/Executive Council policy, and applicable agreements and shall:

1. Assign each employee one supervisor who will establish a work schedule, including breaks, as required by building or Cooperative needs, work load, and the efficient management of human resources;
2. Allow for the ability to respond to changing circumstances by altering work schedules as needed; and
3. Consider the well-being of the employee.
4. Breaks

An employee who works at least 7.5 continuous hours shall receive a 30-minute duty-free meal break that begins within the first 5 hours of the employee’s workday. The Cooperative 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.

820 ILCS 105/, Minimum Wage Law.

820 ILCS 260/, Nursing Mothers in the Workplace Act.

105 ILCS 5/10-20.14a, 5/10-22.34, and 5/10-23.5.

CROSS REF.: 5:35 (Compliance with the Fair Labor Standards Act)

ADOPTED: DECEMBER 2, 2013

August 2013 5:320

# Educational Support Personnel

## Evaluation

The Director is responsible for designing and implementing a program for evaluating the job performance of each educational support staff member according to standards contained in Governing Board/Executive Council policies as well as in compliance with State law and any applicable 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 collective bargaining agreement.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:150 (Personnel Records)

ADOPTED: DECEMBER 2, 2013

August 2013 5:330

# Educational Support Personnel

## Sick Days, Vacation, Holidays, and Leaves

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

Sick and Bereavement Leave

Full or part-time educational support personnel who work at least 600 hours per year receive 10 paid sick leave days per year. Part-time employees will receive sick leave pay equivalent to their regular workday. Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year.

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

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

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

Vacation

Twelve-month employees shall be eligible for paid vacation days according to the schedule established in the collective bargaining agreement

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

Holidays

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

|  |  |
| --- | --- |
| New Year’s Day | Labor Day |
| Martin Luther King Jr.’s Birthday | Columbus Day |
| Abraham Lincoln’s Birthday | Veteran’s Day |
| Casimir Pulaski’s Birthday | Thanksgiving Day |
| Memorial Day | Christmas Day |
| Independence Day |  |

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

Personal Leave

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

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

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

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

Other Leaves

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

1. Leaves for Service in the Military and General Assembly.
2. School Visitation Leave.
3. Leaves for Victims of Domestic or Sexual Violence.

LEGAL REF.: 20 ILCS 1805/30.1 et seq.

105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.

820 ILCS 147 and 180/1 et seq.

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

ADOPTED: DECEMBER 2, 2013

September 2013 6:20

# Instruction

## School Year Calendar and Day

School Calendar

The Governing Board/Executive Committee, upon the Director’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 Governing Board/Executive Council may, from time to time, designate a regular school day as a commemorative holiday.

School Day

The Governing Board/Executive Council establishes the length of the school day with the recommendation of the Director and subject to State law requirements. The Director or designee shall ensure that observances required by State law are followed during each day of school attendance.

LEGAL REF.: 105 ILCS 5/10-19, 5/10-24.46, 5/18-8.05, 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, 5/27-20.2, and 20/1.

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 School Governing Board/Executive Committee), 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 13. 2014

September 2013 6:30

# Instruction

## Organization of Instruction

The grouping and housing of instructional levels in school facilities shall be according to plans developed by the Director and approved by the Governing Board/Executive Committee.

Students, for instructional purposes, may be placed in groups within a school that do not necessarily follow grade level designations. For purposes of attendance reporting and other records, however, each student is assigned a grade-level placement.

LEGAL REF.: 105 ILCS 5/10-20.19a, 5/10-20.37, and 5/10-22.18.

23 Ill.Admin.Code §1.420.

CROSS REF.: 6:40 (Curriculum Development), 6:170 (Title I Programs), 7:30 (Student Assignment), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)

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ADOPTED: JANUARY 13, 2014

September 2013 6:40

# Instruction

## Curriculum Development

Adoption

For all Cooperative classroom-based programs, the Director shall recommend a comprehensive curriculum that is aligned with:

1. The Cooperative’s educational philosophy and goals,
2. Student needs as identified by research, the nature of each student’s disability, assessment by qualified school psychologists and other qualified educational professionals, and identified in each student’s Individual Education Plan (IEP).
3. The minimum requirements of State and federal law and regulations for curriculum and graduation requirements as they pertain to students in Special Education
4. The curriculum of non-Cooperative schools that feed into or from a Cooperative school, provided that the necessary cooperation and information is available,
5. The Illinois State Learning Standards and any Cooperative learning standards, and
6. Any required State or federal student testing.

The Governing Board/Executive Council will adopt, upon recommendation of the Director, a curriculum that meets the above criteria.

Experimental Educational Programs and Pilot Projects

The Director may recommend experimental educational programs and/or pilot projects for Governing Board/Executive Council consideration. Proposals must include goals, material needs, anticipated expenses, and an evaluation process. The Director 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.

Single-Gender Classes and Activities

The Director may recommend a program of non-vocational 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 Director 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*.

Development

The Director 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 Director shall report to the Governing Board/Executive Council as appropriate, the curriculum review program’s efforts to:

1. Regularly evaluate 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/guardians, 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.

Curriculum Guides and Course Outlines

The Director shall develop and provide subject area curriculum guides to appropriate staff members.

LEGAL REF.: 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), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:150 (Home and Hospital Instruction), 6:160 (English Language Learners), 6:170 (Title I Programs), 6:180 (Extended Instructional Programs), 7:15 (Student and Family Privacy Rights)

ADOPTED: JANUARY 13, 2014

September 2013 6:50

# Instruction

## School Wellness

Student wellness, including good nutrition and physical activity, shall be promoted in the Cooperative’s educational program, school activities, and meal programs. This policy shall be interpreted consistently with Section 204 of the Child Nutrition and WIC Reauthorization Act of 2004.

Goals for Nutrition Education and Nutrition Promotion

The goals for addressing nutrition education and nutrition promotion include the following:

1. Schools will support and promote good nutrition for students.
2. Schools will foster the positive relationship between good nutrition, physical activity, and the capacity of students to develop and learn.
3. Nutrition education will be part of the Cooperative’s comprehensive health education curriculum. See School Board policy 6:60, *Curriculum Content.*

Goals for Physical Activity

The goals for addressing physical activity include the following:

1. Schools will support and promote an active lifestyle for students.
2. Physical education will be taught in all grades and shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students’ knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. See Board policy 6:60, *Curriculum Content*.
3. During the school day, all students will be required to engage in a daily physical education course, unless otherwise exempted. See Board policy 6:60, *Curriculum Content*.
4. The curriculum will be consistent with and incorporate relevant Illinois Learning Standards for Physical Development and Health as established by the Illinois State Board of Education.

Nutrition Guidelines for Foods Available in Schools During the School Day

Students will be offered and schools will promote nutritious food and beverage choices consistent with the current Dietary Guidelines for Americans and Food Guidance System published jointly by the U.S. Department of Health and Human Services and the Department of Agriculture. In addition, in order to promote student health and reduce childhood obesity, the Director or designee shall control food sales that compete with the Cooperative’s non-profit food service in compliance with the Child Nutrition Act. Food service rules shall restrict the sale of foods of minimal nutritional value, as defined by the U.S. Department of Agriculture, in the food service areas during the meal periods and comply with all applicable rules of the Illinois State Board of Education.

Guidelines for Reimbursable School Meals

Reimbursable school meals served shall meet, at a minimum, the nutrition requirements and regulations for the National School Lunch Program and/or School Breakfast Program.

Monitoring

The Director or designee shall provide periodic implementation data and/or reports to the Board concerning this policy’s implementation sufficient to allow the Board to monitor and adjust the policy. This report must include without limitation each of the following:

1. An assessment of the Cooperative’s implementation of the policy
2. The extent to which schools in the Cooperative are in compliance with the policy
3. The extent to which the policy compares to model local school wellness policies
4. A description of the progress made in attaining the goals of the policy

Community Input

The Director or designee will invite suggestions and comments concerning the development, implementation, and improvement of the school wellness policy from parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and community.

LEGAL REF.: Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265, Sec. 204.

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

National School Lunch Act, 42 U.S.C. §1758.

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b, PL 111-296.

42 U.S.C. §1779, as implemented by 7 C.F.R. §210.11.

105 ILCS 5/2-3.139.

23 Ill.Admin.Code Part 305, Food Program.

ISBE’s “School Wellness Policy” Goal, adopted Oct. 2007.

CROSS REF.: 4:120 (Food Services)

ADOPTED: JANUARY 13, 2014

September 2013 6:60

# Instruction

## Curriculum Content

The curriculum shall contain instruction on subjects required by State statute or regulation and shall be appropriate to address the disability/disabilities identified in each student’s Individualized Educational Program.

LEGAL REF.: 5 ILCS 465/3 and 465/3a.

20 ILCS 2605/2605-480.

105 ILCS 5/2-3.80(e) and (f), 5/27-3, 5/27-3.5, 5/27-5, 5/27-6, 5/27-7, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-21, 5/27-22, 5/27-23.3, 5/27-23.4, 5/27-23.7, 5/27-23.8, 5/27-24.2, 435/, and 110/3.

625 ILCS 5/6-408.5.

23 Ill.Admin.Code §§1.420, 1.430, and 1.440.

Consolidated Appropriations Act of 2005, Pub. L. No. 108-447, Section 111 of Division J.

Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008).

47 C.F.R. §54.520.

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:235 (Access to Electronic Networks), 6:70 (Teaching About Religions), 7:190 (Student Discipline); 7:260 (Exemption from Physical Activity)

ADOPTED: JANUARY 13, 2014

September 2013 6:65

# Instruction

## Student Social and Emotional Development

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

The Director shall incorporate SEL into the Cooperative’s curriculum and other educational programs consistent with the Cooperative’s mission and the goals and benchmarks of the Ill. Learning Standards. The Ill. Learning Standards include three goals for students:

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

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

1. Classroom and school-wide programming to foster a safe, supportive learning environment where students feel respected and valued. This may include incorporating scientifically based, age-and-culturally appropriate classroom instruction, strategies that teach SEL skills, promote optimal mental health, and prevent risk behaviors for all students.
2. Staff development and training to promote students’ SEL development. This may include providing all personnel with age-appropriate academic and SEL and how to promote it.
3. Parent/Guardian and family involvement to promote students’ SEL development. This may include providing parents/guardians and families with learning opportunities related to the importance of their children’s optimal SEL development and ways to enhance it.
4. Early identification and intervention to enhance students’ school readiness, academic success, and use of good citizenship skills. This may include development of a system and procedures for periodic and universal screening, assessment, and early intervention for students who have significant risk factors for social, emotional, or mental health conditions that impact learning.
5. Treatment to prevent or minimize mental health conditions in students. This may include building and strengthening referral and follow-up procedures for providing effective clinical services for students with social, emotional, and mental health conditions that impact learning. This may include student and family support services, school-based behavioral health services, and school-community linked services and supports.
6. Assessment and accountability for teaching SEL skills to all students. This may include implementation of a process to assess and report baseline information and ongoing progress about school climate, students’ social and emotional development, and academic performance.

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

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

ADOPTED: JANUARY 13, 2014

September 2013 6:70

# Instruction

## Teaching About Religions

The curriculum of the classroom-based programs offered by the Cooperative 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 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, 109 S.Ct. 3086, 106 L.Ed.2d 472 (1989).

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:255 (Assemblies and Ceremonies)

ADOPTED: JANUARY 13, 2014

September 2013 6:80

# Instruction

## Teaching About Controversial Issues

The Director 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:

1. Age-appropriate. Proper decorum, considering the students’ ages, should be followed.
2. Consistent with the curriculum and serve an educational purpose.
3. Informative and present a balanced view.
4. Respectful of the rights and opinions of everyone. Emotional criticisms and hurtful sarcasm should be avoided.
5. Not tolerant of profanity or slander. Disruptive conduct is prohibited and may subject a student to discipline.

The Cooperative specifically reserves its right to stop any school-sponsored activity that it determines violates this policy, is harmful to the Cooperative or the students, or violates State or federal law.

CROSS REF.: 6:40 (Curriculum Development), 6:255 (Assemblies and Ceremonies)

ADOPTED: JANUARY 13, 2014

September 2013 6:100

# Instruction

## Using Animals in the Educational Program

Animals may be brought into the Cooperative’s school facility for educational purposes according to procedures developed by the Director 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.

Experiments on living animals are prohibited; however, behavior studies that do not impair an animal’s health or safety are permissible. 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 are excused from classroom attendance without penalty during times when such activities are taking place. No student will be penalized or disciplined for refusing to perform, participate in, or observe a dissection. The Director or designee shall inform students of: (1) their right to refrain from performing, participating in, or observing dissection, and (2) which courses contain a dissection unit and which of those courses offers an alternative project.

LEGAL REF.: 105 ILCS 5/2-3.122, 5/27-14, and 112/.

CROSS REF.: 6:40 (Curriculum Development)

ADMIN. PROC.: 6:120-AP3 (Service Animal Access Requests), 6:120-AP3, E1 (Request for a Service Animal to Accompany a Student in School Facilities)

ADOPTED: JANUARY 13, 2014

September 2013 6:110

# Instruction

## Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program

The Director or designee shall notify the home districts for students at risk of academic failure or dropping out of school. The Cooperative may provide initial intervention services to students at-risk of dropping out of school or failure, in consultation with the home districts. Such initial interventions may include:

1. Parent-teacher conferences
2. Counseling services by social workers and/or guidance counselors
3. Counseling services by psychologists
4. Psychological testing
5. Community agency services

If initial intervention services are unsuccessful, students at-risk will be referred to the home districts for further interventions or actions.

LEGAL REF.: 105 ILCS 5/2-3.41, 5/2-3.66, 5/2-3.66b, 5/13B-1 et seq., 5/26-2a, 5/26-13, 5/26-14, and 5/26-16.

CROSS REF.: 6:300 (Graduation Requirements), 7:70 (Attendance and Truancy)

ADOPTED: JANUARY 13, 2014

July 2013 6:120

# Instruction

## Education of Children with Disabilities

The Cooperative shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the Cooperative, 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 3 and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Illinois State Board of Education’s *Special Education* rules, that special education services are needed.

It is the intent of the Cooperative 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 the IDEA.

For students eligible for services under IDEA, the Cooperative shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the Illinois State Board of Education’s *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 Cooperative 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), representation by counsel, and a review procedure.

The Cooperative may maintain membership in one or more cooperative associations with other agencies that shall assist the Cooperative in fulfilling its obligations to the Cooperative’s disabled students.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

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

Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §1400 et seq.

Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794.

105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.

23 Ill.Admin.Code Part 226.

34 C.F.R. §300.

CROSS REF.: 2:150 (Committees), 7:230 (Misconduct by Students with Disabilities)

ADOPTED:

September 2013 6:140

# Instruction

## 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 State law.

Any students in the Cooperative’s classroom-based programs meeting the definition of “homeless” will be subject to the policies and procedures of the home districts. .

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

105 ILCS 45/1-1 et seq.

ADOPTED: JANUARY 13, 2014

February 2011 6:150

# Instruction

## Home and Hospital Instruction

A student who is absent from school because of a medical condition may be eligible for instruction in the student’s home or hospital. Eligibility shall be determined by State law and the Illinois State Board of Education rule governing the continuum of placement options for home/hospital services. Appropriate educational services from qualified staff shall begin as soon as eligibility is established and will be determined by the student’s individualized education program.

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

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

LEGAL REF.: 105 ILCS 5/10-22.6a, 5/14-13.01, 5/18-4.5, and 5/18-8.05.

23 Ill.Admin.Code §§1.610 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 13, 2014

September 2013 6:210

# Instruction

## Instructional Materials

All Cooperative classrooms and learning centers should be equipped with an evenly-proportioned, 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.

The Director or designee shall annually provide a list or description of textbooks and instructional materials used in the Cooperative to the Governing Board/Executive Council. Anyone may inspect any textbook or instructional material.

Teachers are encouraged to use supplemental material only when it will enhance, or otherwise illustrate, the subjects being taught and to ensure it is age-appropriate. No R-rated movie shall be shown to students unless prior approval is received from the Director or designee, and no movie rated NC-17 (no one 17 and under admitted) shall be shown under any circumstances. These restrictions apply to television programs and other media with equivalent ratings.

## Instructional Materials Selection and Adoption

The Director shall approve the selection of all textbooks and instructional materials according to the standards described in this policy. The School Code governs the adoption and purchase of textbooks and instructional materials.

LEGAL REF.: 105 ILCS 5/10-20.8, 5/10-20.9, and 5/28-19.1.

CROSS REF.: 6:30 (Organization of Instruction), 6:40 (Curriculum Development), 6:80 (Teaching About Controversial Issues), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 8:110 (Public Suggestions and Concerns)

ADOPTED: JANUARY 13, 2014

September 2013 6:235

# Instruction

## Access to Electronic Networks

Electronic networks, including the Internet, are a part of the Cooperative’s instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication. The Director shall develop an implementation plan for this policy and appoint system administrator(s).

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

Curriculum and Appropriate Online Behavior

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

The Cooperative’s electronic network is part of the curriculum and is not a public forum for general use.

Acceptable Use

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

Internet Safety

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

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

Authorization for Electronic Network Access

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

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

The failure of any student or staff member to follow the terms of the *Authorization for Electronic Network Access*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

LEGAL REF.: No Child Left Behind Act, 20 U.S.C. §6777.

Children’s Internet Protection Act, 47 U.S.C. §254(h) and (l).

Enhancing Education Through Technology Act, 20 U.S.C §6751 et seq.

47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.

720 ILCS 135/0.01.

CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:210 (Instructional Materials), 6:230 (Library Media Program), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline), 7:310 (Restrictions on Publications)

ADMIN PROC.: 6:235-AP1 (Administrative Procedure - Acceptable Use of Electronic Networks), 6:235-AP1, E1 (Student Authorization for Electronic Network Access), 6:235-AP1, E2 (Exhibit - Staff Authorization for Electronic Network Access)

ADOPTED: JANUARY 13, 2014

September 2013 6:250

# Instruction

## Community Resource Persons and Volunteers

The Governing Board/Executive Council encourages the use of resource persons and 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.

Resource persons and volunteers may be used:

1. For non-teaching duties not requiring instructional judgment or evaluation of students;
2. To assist with academic programs under a certificated teacher’s immediate supervision;
3. As a guest lecturer or resource person under a certificated teacher’s direction and with the administration’s approval; or
4. As supervisors, or chaperones for non-academic school activities.

The Director shall 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 Child Murderer and Violent Offender Against Youth Registration Act, is prohibited from being a resource person or volunteer.

LEGAL REF.: 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.

730 ILCS 152/101 et seq. and 154/75-105.

CROSS REF.: 4:170 (Safety), 5:280 (Duties and Qualifications), 8:30 (Visitors to and Conduct on School Property), 8:95 (Parental Involvement)

ADOPTED: JANUARY 13, 2014

February 2011 6:255

# Instruction

## Assemblies and Ceremonies

Assemblies must be approved by the Director or designee and be consistent with the Cooperative’s educational objectives.

The Cooperative shall not endorse or otherwise promote invocations, benedictions, and group prayers at any school assembly, ceremony, or other school-sponsored activity.

LEGAL REF.: Lee v. Weisman, 112 S.Ct. 2649 (1992).

Santa Fe Independent School District v. Doe, 120 S.Ct. 2266 (2000).

Jones v. Clear Creek Independent School District, 977 F.2d 963 (5th Cir., 1992), *reh’g denied*, 983 F.2d 234 (5th Cir., 1992) and *cert. denied*, 113 S.Ct. 2950 (1993).

CROSS REF.: 6:70 (Teaching About Religion), 6:80 (Teaching About Controversial Issues)

ADOPTED: JANUARY 13, 2014

September 2013 6:260

# Instruction

## Complaints About Curriculum, Instructional Materials, and Programs

Persons with suggestions or complaints about curriculum, instructional materials, and programs should complete a curriculum objection form and/or use the Uniform Grievance Procedure. 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.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 8:110 (Public Suggestions and Concerns)

ADOPTED: JANUARY 13, 2014

September 2013 6:280

# Instruction

## Grading and Promotion

The Director shall establish a system of grading and reporting academic progress 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 progress towards meeting the educational goals in the student’s IEP. A student shall not be promoted based upon age or any other social reason not related to academic performance.

Every teacher shall maintain a record of academic and behavior data for each student in the teacher’s classroom. The Director or any other administrator cannot change the final grade assigned by the teacher without notifying the teacher.Reasons for changing a student’s final grade include:

1. A miscalculation of test scores,
2. A technical error in assigning a particular grade or score,
3. The teacher agrees to allow the student to do extra work that may impact the grade,
4. An inappropriate grading system used to determine the grade, or
5. An inappropriate grade based on an appropriate grading system.
6. A misinterpretation or failure to fully implement the student’s IEP goals

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

LEGAL REF.: 105 ILCS 5/2-3.64, 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), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

ADOPTED: JANUARY 13, 2014

September 2013 6:300

# Instruction

## Graduation Requirements

Graduation requirements will be determined by the student’s Individualized Education Program and the student’s home district.

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 4 years of high school, qualifies for a certificate of completion after the student has completed 4 years of high school. The student is encouraged to 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.

LEGAL REF.: 105 ILCS 5/2-3.64, 5/22-27, 5/27-3, 5/27-22, 5/27-22.10, and 70/.

23 Ill.Admin.Code §1.440.

CROSS REF.: 6:30 (Organization of Instruction), 7:50 (School Admissions and Student Transfers To and From Non-District Schools)

ADOPTED: JANUARY 13, 2014

September 2013 6:340

# Instruction

## Student Testing and Assessment Program

The Cooperative student assessment program provides information for determining individual student achievement and instructional needs; curriculum and instruction effectiveness; and school performance measured against the Cooperative’s student learning objectives and statewide norms.

The Director or designee shall manage the student assessment program that, at a minimum:

1. Uses the State assessment system and any other appropriate assessment methods and instruments, including norm and criterion-referenced achievement tests, aptitude tests, proficiency tests, and teacher-developed tests.
2. Tests the grades and subjects according to the schedule required by the State assessment system.
3. Tracks the achievement of all students.
4. Provides each student and his or her parents/custodians with an evaluation of the student’s learning on the basis of test and assessment results. See policy 6:280, *Grading and Promotion*.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.

105 ILCS 5/2-3.63, 5/2-3.64, 5/10-17a, and 5/27-1.

CROSS REF.: 7:340 (Student Records)

ADOPTED: JANUARY 13, 2014

September 2013 7:10

# Students

## 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, order of protection status, actual or potential marital or parental status, including pregnancy. Further, the Cooperative 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. Any student may file a discrimination grievance by using Governing Board/Executive Council policy 2:260, *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 Governing Board/Executive Council policy 2:260, *Uniform Grievance Procedure*. A student may appeal the Governing Board/Executive Council’s resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

Administrative Implementation

The Director shall appoint a Nondiscrimination Coordinator. The Director and Building Principal shall use reasonable measures to inform staff members and students of this policy and grievance procedure.

LEGAL REF.: 42 U.S.C. §11431 et seq., McKinney Homeless Assistance Act.

20 U.S.C. §1681 et seq., 34 C.F.R. Part 106; Title IX of the Educational Amendments.

29 U.S.C. §791 et seq., Rehabilitation Act of 1973.

775 ILCS 35/5, Religious Freedom Restoration Act.

Ill. Constitution, Art. I, §18.

Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001).

105 ILCS 5/3.25b, 3.25d(b), 10-20.12, 10-22.5, and 27-1.

775 ILCS 5/1-101 et seq., Illinois Human Rights Act.

23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:220 (Instructional Materials Selection and Adoption), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:15

# Students

## 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 Cooperative’s educational objectives as identified in School Governing Board/Executive Council policy 6:10, *Educational Philosophy and Objectives*, or assist students’ career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

Surveys Created by a Third Party

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 Cooperative official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

Survey Requesting Personal Information

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 Cooperative) 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 or ward 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/ward’s educational curriculum within a reasonable time of their request.

The term “instructional material” means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

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 Governing Board/Executive Council policy.

Selling or Marketing Students’ Personal Information Is Prohibited

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.

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 Director or designee shall notify students’ parents/guardians of:

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child or ward out of participation in activities as provided in this policy.
3. The approximate dates during the school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled.
4. How to request access to any survey or other material described in this policy.

This notification shall be given parents/guardians at least annually, at the beginning of the school year, and within a reasonable period after any substantive change in this policy.

The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor.

LEGAL REF.: Protection of Pupil Rights, 20 U.S.C. §1232h.

Children’s Privacy Protection and Parental Empowerment Act, 325 ILCS 17/1 et seq.

105 ILCS 5/10-20.38.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:20

# Students

## Harassment of Students Prohibited

Bullying, Intimidation, and Harassment Prohibited

No person, including a Cooperative employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; nationality; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; 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 Cooperative will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, 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, hate speech, stalking, 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

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

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student’s academic status; or
2. Has the purpose or effect of:
3. Substantially interfering with a student’s educational environment;
4. Creating an intimidating, hostile, or offensive educational environment;
5. Depriving a student of educational aid, benefits, services, or treatment; or
6. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.

The terms “intimidating,” “hostile,” and “offensive” include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person’s alleged sexual activities.

Making a Complaint; Enforcement

Students are encouraged to report claims or incidences of bullying, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Director, Director, or a Complaint Manager. A student may choose to report to a person of the student’s same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

An allegation that a student was a victim of any prohibited conduct perpetrated by another student shall be referred to the Building Principal, Assistant Director, or Director for appropriate action.

The Director shall insert into this policy the names, addresses, and telephone numbers of the Cooperative’s current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

**Nondiscrimination Coordinator:**

|  |  |
| --- | --- |
|  |  |
| Name |  |
| Address |  |
|  |  |
| Telephone |  |

**Complaint Managers:**

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Name |  | Name |
| Address |  | Address |
|  |  |  |
| Telephone |  | Telephone |

The Director shall use reasonable measures to inform staff members and students of this policy, such as, by including it in the appropriate handbooks.

Any Cooperative 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 Cooperative 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 discipline policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments.

34 C.F.R. Part 106.

105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.

775 ILCS 5/1-101 et seq., Illinois Human Rights Act.

23 Ill.Admin.Code §1.240 and Part 200.

Davis v. Monroe County Board of Education, 119 S.Ct. 1661 (1999).

Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).

Gebser v. Lago Vista Independent School Board, 118 S.Ct. 1989 (1998).

West v. Derby Unified School Board No. 260, 206 F.3d 1358 (10th Cir., 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 7:10 (Equal Educational Opportunities), 7:180 (Preventing Bullying, Intimidation, and Harassment), 7:190 (Student Discipline)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:30

# Students

## Student Assignment

Class Assignments

Students shall be assigned as indicated in their Individualized Educational Programs.

LEGAL REF.: 105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

ADOPTED: FEBRUARY 2, 2014

September 2013 7:50

**Students**

**School Admissions**

Special education services shall be available to identified disabled children between the ages of three (3) and twenty-two (22) years who are enrolled in the Member Districts. The special education student who becomes twenty-two (22) years of age during the school year shall be allowed to finish the school year.

The student who has successfully completed a secondary program shall be granted a diploma from the home school district and all eligibility for public school education is terminated. The parent, and, if appropriate, the student shall participate in the decision to terminate public school responsibility prior to age twenty-two (22) by accepting a high school diploma.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

Family Educational Rights and Privacy Act, 20 U.S.C. §1232.

Illegal Immigrant and Immigrant Responsibility Act of 1996, 8 U.S.C. §1101.

Individuals With Disabilities Education Improvement Act, 20 U.S.C. §1400 et seq.

Rehabilitation Act, Section 504, 29 U.S.C. §794.

105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/26-1, 5/26-2, 5/27-8.1, 10/8.1, 45/, and 70/.

325 ILCS 50/ and 55/.

410 ILCS 315/2e.

20 Ill.Admin.Code Part 1290, Missing Person Birth Records and School Registration.

23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.: 6:140 (Education of Homeless Children), 7:60 (Residence), 7:70 (Attendance and Truancy), 7:100 (Health Examinations, Immunizations, and Exclusion of Students), 7:340 (Student Records)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:60

**Students**

**Residence**

Students who are residents of Member Districts may participate in the programs available through the Vermilion Association for Special Education Joint Agreement.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.

105 ILCS 45/ and 70/.

23 Ill.Admin.Code §1.240.

Israel S. by Owens v. Board of Educ. of Oak Park and River Forest High School Dist. 200, 601 N.E.2d 1264 (Ill.App.1, 1992).

Joel R. v. Board of Education of Manheim School District 83, 686 N.E.2d 650 (Ill.App.1, 1997).

Kraut v. Rachford, 366 N.E.2d 497 (Ill.App.1, 1977).

CROSS REF.: 6:140 (Education of Homeless Children), 7:70 (Attendance and Truancy)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:70

# Students

## Attendance and Truancy

Compulsory School Attendance

This policy applies to individuals who have custody or control of a child: (a) between the ages of 7 and 17 ( starting with the 2014-2015 school year, 6 and 17) years of age (unless the child has graduated from high school), or (b) who is enrolled in any of grades, kindergarten through 12, in the public school regardless of age. These individuals must cause the child to attend the District school wherein the child is assigned, except as provided herein or by State law. Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because his or her religion forbids secular activity on a particular day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program.

Absenteeism and Truancy Program

The Director or his/her designee shall track student attendance and establish a system by which attendance of students in classroom-based programs run by the Cooperative will be reported to each student’s home school district. Any student determined to be truant or absent without a valid excuse will be referred to the home school/district for further action.

LEGAL REF.: 105 ILCS 5/26-1 through 16.

705 ILCS 405/3-33.5.

23 Ill.Admin.Code §§1.242 and 1.290.

CROSS REF.: 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), 7:190 (Student Discipline), 7:340 (Student Records)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:80

# Students

## Release Time for Religious Instruction/Observance

A student shall be released from school, as an excused absence, to observe a religious holiday or for religious instruction. The student’s parent/guardian must give written notice to the Director or his/her designee at least 5 calendar days before the student’s anticipated absence(s). This notice shall satisfy the Cooperative’s requirement for a written excuse when the student returns to school. The Director or designee will inform the home school district of such notice.

The Director shall develop and distribute to teachers and other professional educational service providers appropriate procedures regarding student absences for religious reasons and include a list of religious holidays on which a student shall be excused from school attendance, how professional staff members 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.: Religious Freedom Restoration Act, 775 ILCS 35/.

105 ILCS 5/26-1 and 5/26-2b.

CROSS REF.: 7:70 (Attendance and Truancy)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:90

# Students

## 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 the hours that the Cooperative operates the classroom-based programs: (1) at any time before the regular dismissal time or at any time before such programs are otherwise officially closed, and/or (2) to any person other than a custodial parent/guardian.

Early Dismissal Announcement

The Director or designee shall make reasonable efforts to issue an announcement whenever it is necessary to close the Cooperative’s classroom-based programs early due to inclement weather or other reason.

CROSS REF.: 4:170 (Safety)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:100

**Students**

**Health Examinations, Immunizations, and Exclusion of Students**

The policies and procedures of the individual member districts shall be followed.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

105 ILCS 5/27-8.1.

410 ILCS 45/7.1 and 315/2e.

23 Ill.Admin.Code §1.530.

77 Ill.Admin.Code Part 665.

CROSS REF.: 6:140 (Education of Homeless Children)

ADOPTED: FEBRUARY 2, 2014

March 2007 7:130

# Students

## 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. These rights include the right to voluntarily engage in individually initiated, non-disruptive prayer that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, is not sponsored, promoted, or endorsed in any manner by the school or any school employee. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate Cooperative policies or rules will be subject to disciplinary measures.

LEGAL REF.: 20 U.S.C. §7904.

105 ILCS 20/5.

Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

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

ADOPTED: FEBRUARY 2, 2014

September 2013 7:140

# Students

## Search and Seizure

In order to maintain order and security in the Cooperative classroom-based programs, Cooperative administration and professional staff are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. Such “professional staff” shall include school liaison police officers.

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

Cooperative administration and professional staff may inspect and search school property and equipment owned or controlled by the Cooperative (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.

The Director or designee may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other Cooperative 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

Cooperative administration and professional staff 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 Cooperative’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 Cooperative administrator or adult witness, and
3. By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the administrator or professional staff member who conducted the search, and given to the Director.

Seizure of Property

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

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.

Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir., 1993).

People v. Dilworth, 661 N.E.2d 310 (Ill., 1996), *cert. denied*, 116 S.Ct. 1692 (1996).

People v. Pruitt, 662 N.E. 2d 540 (Ill.App.1, 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).

T.L.O. v. New Jersey, 105 S.Ct. 733 (1985).

Vernonia School Dist. 47J v. Acton, 115 S.Ct. 2386 (1995).

Safford Unified School Dist. No. 1 v. Redding, 129 S. Ct. 2633 (2009).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Discipline)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:150

# Students

## Agency and Police Interviews

The Director shall manage requests by agency officials or police officers to interview students at school through procedures that: (1) recognize individual student rights and privacy, (2) minimize potential disruption, (3) foster a cooperative relationship with public agencies and law enforcement, and (4) comply with State law.

LEGAL REF.: 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.: 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Discipline)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:160

# Students

## Student Appearance

A student’s appearance, including dress and grooming, must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be developed by the Director and included in the Student Handbook.

LEGAL REF.: 105 ILCS 5/10-22.25b.

Tinker v. Des Moines Independent School Dist., 89 S.Ct. 733 (1969).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:170

# Students

## Vandalism

The Governing Board/Executive Council will seek restitution from students and their parents/guardians for 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 Discipline)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:180

# Students

## Preventing 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 is an important District goal.

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

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

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

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

Bullying, intimidation, and/or harassment may take various forms, including without limitation: threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

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

1. Fully implements and enforces each of the following Board policies:
2. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy. Each of those characteristics is also identified in this policy’s second paragraph.
3. 7:190, *Student Discipline*. This policy prohibits students from engaging in hazing, bullying, or any kind of aggressive behavior that does physical or psychological harm to another or any urging of other students to engage in such conduct; prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, or other comparable conduct.
4. 7:310, *Restrictions on Publications*. This policy prohibits students from: (i) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (ii) creating and/or distributing written, printed, or electronic material, including photographs and Internet material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.
5. 6:235, *Access to Electronic Networks*. This policy states that the use of the Cooperative’s electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use. It subjects any individual to the loss of privileges, disciplinary action, and/or appropriate legal actions for violating the Cooperative’s *Authorization of Electronic Network Access*.

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

1. Examines the appropriate steps to understand and rectify conditions that foster bullying, intimidation, and harassment; this contemplates taking action to eliminate or prevent these disruptive behaviors beyond traditional punitive disciplinary actions.
2. Includes bullying prevention and character instruction in all of the Cooperative’s classroom-based programs, in accordance with State law and Governing Board/Executive Council Policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the Cooperative’s educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.
3. Fully informs staff members of the Cooperative’s goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes: (a) communicating the Cooperative’s expectation – and the State law requirement – that teachers and other certificated employees maintain discipline, and (b) establishing a process for staff members to fulfill their obligation to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence.
4. Encourages all members of the school community, including students, parents, volunteers, and visitors, to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence.
5. Actively involves students’ parents/guardians in the remediation of the behavior(s) of concern. This includes ensuring that all parents/guardians are notified, as required by State law, whenever their child engages in aggressive behavior.
6. Communicates the Cooperative’s expectation that all students conduct themselves with a proper regard for the rights and welfare of other students. This includes a process for commending or acknowledging students for demonstrating appropriate behavior.
7. Annually communicates this policy to students and their parents/guardians. This includes annually disseminating information to all students and parents/guardians explaining the serious disruption caused by bullying, intimidation, or harassment and that these behaviors will be taken seriously and are not acceptable in any form.
8. Engages in ongoing monitoring that includes collecting and analyzing appropriate data on the nature and extent of bullying in the Cooperative’s classroom-based programs and, after identifying appropriate indicators, assesses the effectiveness of the various strategies, programs, and procedures and reports the results of this assessment to the Governing Board/Executive Council along with recommendations to enhance effectiveness.
9. Complies with State and federal law and is in alignment with Governing Board/Executive Council policies. This includes prompting the Governing Board/Executive Council to update the policy beginning every 2 years after its initial adoption and filing this policy with the Illinois State Board of Education after the Governing Board/Executive Council adopts or updates it.

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

LEGAL REF.: 405 ILS 49/, Children’s Mental Health Act.

105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.

23 Ill.Admin.Code §§1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:190 (Student Discipline), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:285 (Food Allergy Management Program), 7:310 (Restrictions on Publications)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:190

# Students

## Student Discipline

Prohibited Student Conduct

The Cooperative administration is authorized to discipline students for gross disobedience or misconduct, including but not limited to:

1. Using, possessing, distributing, purchasing, or selling tobacco materials.
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, or selling:
4. Any illegal drug, controlled substance, or cannabis (including marijuana and hashish).
5. Any anabolic steroid unless being administered in accordance with a physician’s or licensed practitioner’s prescription.
6. 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.
7. 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.
8. 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.
9. “Look-alike” or counterfeit drugs, including a substance not containing an illegal drug or controlled substance, but one: (a) that a student believes to be, or represents to be, an illegal drug or controlled substance; 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 or controlled substance.
10. 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.

1. 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.
2. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student’s individualized education program (IEP); or (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
3. Using or possessing a laser pointer unless under a staff member’s direct supervision and in the context of instruction.
4. Disobeying rules of student conduct or directives from staff members or Cooperative officials. Examples of disobeying staff directives include refusing a Cooperative staff member’s request to stop, present identification, or submit to a search.
5. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
6. 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.
7. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person’s personal property.
8. Being absent without a recognized excuse; State law and Governing Board/Executive Council policy regarding truancy control will be used with chronic and habitual truants.
9. 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.
10. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
11. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, and hazing.
12. Making an explicit threat on an Internet website against a Cooperative employee, a student, or any Cooperative-related personnel if the Internet website through which the threat was made is a site that was accessible within the Cooperative facility at the time the threat was made or was available to third parties who worked or studied within the Cooperative facility’s 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 Cooperative.
13. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the Cooperative environment, Cooperative 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 Cooperative 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 Cooperative’s student locker, desk, or other Cooperative property; or (d) at any location on Cooperative property or at a Cooperative-sponsored event.

Efforts, including the use of early intervention and progressive discipline, shall be made to deter students, while attending the Cooperative’s classroom-based programs or a Cooperative-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Director 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 authority of either the Governing Board or the Executive Council 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.

The grounds for disciplinary action, including those described more thoroughly later in this policy, apply whenever the student’s conduct is reasonably related to Cooperative or any Cooperative activities, including, but not limited to:

1. On, or within sight of, Cooperative grounds before, during, or after the Cooperative’s hours or at any time;
2. Off school grounds at a Cooperative-sponsored activity or event, or any activity or event that bears a reasonable relationship to Cooperative;
3. Traveling to or from the Cooperative facility or a Cooperative activity, function, or event; or
4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the Cooperative’s environment, 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 Cooperative property.

Disciplinary Measures

Disciplinary measures may include:

1. Disciplinary conference.
2. Withholding of privileges.
3. Seizure of contraband.
4. Suspension from the Cooperative’s classroom-based programs or any of its related activities for up to 10 days, provided that appropriate procedures are followed. A suspended student is prohibited from being on Cooperative grounds.
5. Suspension of bus riding privileges, provided that appropriate procedures are followed.
6. Expulsion from the Cooperative’s classroom-based programs and all Cooperative-sponsored activities and events for a definite time period not to exceed 2 calendar years, provided that the appropriate procedures are followed. An expelled student is prohibited from being on Cooperative grounds.
7. Notifying juvenile authorities or other law enforcement whenever the conduct involves illegal drugs (controlled substances), “look-alikes,” alcohol, or weapons.
8. Notifying parents/guardians.
9. Temporary removal from the classroom.
10. In-school suspension for a period not to exceed 5 school days. The Principal or designee shall ensure that the student is properly supervised.
11. After-school 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 Principal or designee.

A student may be immediately transferred back to the home district if the student is expelled from any of the Cooperative’s classroom-based programs 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.

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.

Weapons

A student who is determined to have brought one of the following objects to the Cooperative property, any Cooperative-sponsored activity or event, or any activity or event that bears a reasonable relationship to the Cooperative shall be expelled for a period of at least one calendar year but not more than 2 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 1 or 2 above may be modified by the Director, and the Director’s determination may be modified by the Governing Board/Executive Council on a case-by-case basis. The Director or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in any educational activities, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.

Required Notices

A Cooperative staff member shall immediately notify the office of the Principal in the event that he or she: (1) observes any person in possession of a firearm on or around Cooperative 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 Cooperative 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 Principal or designee shall immediately (within 24 hours) notify the local law enforcement agency, State Police, and any involved student’s parent/guardian. “Cooperative grounds” includes modes of transportation to Cooperative activities and any public way within 1000 feet of the school, as well as school property itself.

Clear and Present Danger

In addition, the VASE Administration (Director, Assistant Director, or Principal) will report within 24 hours to the Department of State Police when a student is determined to pose a clear and present danger to himself, herself, or to others within 24 hours of that determination.

Delegation of Authority

Each teacher, and any other Cooperative 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 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, Cooperative 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 Director, Assistant Director, and Principal is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from the Cooperative’s classroom-based programs (including all school functions) and from riding the school bus, up to 10 consecutive school days, provided the appropriate procedures are followed.

Student Handbook

The Director, with input from the parent-teacher advisory committee, shall prepare disciplinary rules implementing the Cooperative’s disciplinary policies. These disciplinary rules shall be presented annually to the Governing Board/Executive Council for its review and approval.

A student handbook, including the Cooperative disciplinary policies and rules, shall be distributed to the students’ parents/guardians within 15 days of the beginning of the academic year or a student’s enrollment.

LEGAL REF.: Gun-Free Schools Act, 20 U.S.C. §7151 et seq.

Pro-Children Act of 1994, 20 U.S.C. §6081.

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, 5/24-24, 5/26-12, 5/27-23.7, and 5/31-3.

23 Ill.Admin.Code §1.280., P.A. 980063

CROSS REF.: 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 (Preventing Bullying, Intimidation, and Harassment ), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:200

# Students

## Suspension Procedures

The Director shall implement suspension procedures that provide, at a minimum, for the following:

1. Before a student may be suspended, the student shall be provided a conference during which the charges will be explained and the student will be given an opportunity to respond to the charges.
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. Any suspension shall be reported immediately to the student’s parent(s)/guardian(s). A written notice of the suspension shall state the reasons for the suspension, including any school rule that was violated, and a notice to the parent(s)/guardian(s) of their right to a review of the suspension. The Governing Board/Executive Council must be given a summary of the notice, including the reason for the suspension and the suspension length. Notification of the suspension shall be given to the home district of the student.
4. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Governing Board/Executive Council or a hearing officer appointed by the Board/Council. At the review, the student’s parent(s)/guardian(s) may appear and discuss the suspension with the Governing Board/Executive Council or its hearing officer and may be represented by counsel. After presentation of the evidence or receipt of the hearing officer’s report, the Governing Board/Executive Council shall take such action as it finds appropriate.
5. Any action to suspend shall be subject to the conditions and interventions established in a student’s behavior modification plan and/or the student’s Individualized Educational Program.

LEGAL REF.: 105 ILCS 5/10-22.6(b).

Goss v. Lopez, 95 S.Ct. 729 (1975).

Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Discipline)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:230

# Students

## 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 Governing Board/Executive Council 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 Cooperative 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 Discipline), 7:200 (Suspension Procedures),

ADOPTED: FEBRUARY 2, 2014

September 2013 7:250

# Students

## Student Support Services

The following student support services may be provided by the Cooperative:

1. Health services supervised by a qualified nurse. The Director or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease, including head lice (Pediculus Humanus Capitis
2. Educational and psychological testing services and the services of a psychologist as needed. In all cases, written permission to administer a psychological examination must be obtained from a student’s parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, as well as to the appropriate professional staff.
3. The services of a social worker. A student’s parent(s)/guardian(s) must consent to regular or continuing services from a social worker.
4. Other services as needed including, but not limited to:

• Occupational therapy

• Physical therapy

• Speech therapy

• Assistive technology

• Audiology

• Vision and hearing

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

LEGAL REF.: Children’s Mental Health Act of 2003, 405 ILCS 49/1 et seq.

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

ADOPTED: FEBRUARY 2, 2014

September 2013 7:260

# Students

## Exemption from Physical Activity

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 may be based on medical or religious prohibitions.

Special activities in physical education will be provided for a student whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents his or her participation in the physical education course.

LEGAL REF.: 105 ILCS 5/27-6.

225 ILCS 60/, Medical Practice Act.

23 Ill.Admin.Code §1.420(p).

CROSS REF.: 6:60 (Curriculum Content)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:270

# Students

## Administering Medicines to Students

Students should not take medication during Cooperative hours or during Cooperative-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 Cooperative hours or school-related activities, the parent/guardian must request that the Cooperative dispense the medication to the child and otherwise follow the Cooperative’s procedures on dispensing medication.

No Cooperative 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 “Medication Authorization Form” is submitted by the student’s parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

Nothing in this policy shall prohibit any school employee from providing emergency assistance to students, including administering medication.

The Building Principal shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students.

Self-Administration of Medication

A student may possess an epinephrine auto-injector (EpiPen®) and/or medication prescribed for asthma for immediate use at the student’s discretion, provided the student’s parent/guardian has completed and signed a “Medication Authorization Form.” The Cooperative shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student’s self-administration of medication or epinephrine auto-injector or the storage of any medication by school personnel. A student’s parent/guardian must indemnify and hold harmless the Cooperative 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 auto-injector and/or medication, or the storage of any medication by Cooperative personnel.

Cooperative Supply of Epinephrine Auto-Injectors

The Director or designee shall implement Section 22-30(f) of the School Code and maintain a supply of epinephrine auto-injectors in the name of the Cooperative and provide or administer them as necessary according to State law. This section of the policy is void whenever the Director or designee is, for whatever reason, unable to: (1) obtain for the Cooperative a prescription for school epinephrine auto-injectors and a standing protocol from a physician licensed to practice medicine in all its branches, or (2) fill the Cooperative’s prescription for school epinephrine auto-injectors.

Upon implementation of this subsection and Section 22-30(f) of the School Code, the protections from liability and hold harmless provisions as explained in Section 22-30(c) of the School Code apply.

No one, including without limitation parents/guardians of students, should rely on the Cooperative for the availability of an epinephrine auto-injector. This policy does not guarantee the availability of an epinephrine auto-injector; students and their parents/guardians should consult their own physician regarding this medication.

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, and 5/22-30.

CROSS REF.: 7:285 (Food Allergy Management)

ADMIN. PROC.: 7:270-AP1 (Dispensing Medication), 7:270-AP2 (Checklist for District Supply of Epinephrine Auto-Injectors), 7:270-E (School Medication Authorization Form)

ADOPTED: FEBRUARY 2, 2014

February 2012 7:270-AP1

# Students

## Administrative Procedure - Dispensing Medication

| **Actor** | **Action** |
| --- | --- |
| Parents/Guardians | Ask the child’s physician, dentist, or other health care provider who has authority to prescribe medications if a medication, either prescription or non-prescription, must be administered during the instructional day. *Medications* includes an epinephrine auto-injector (*EpiPen®*) and asthma inhaler medication.**For a student with diabetes**: The parent(s)/guardian(s) are responsible to share the health care provider’s instructions. When the student is at school, the student’s diabetes will be managed according to a diabetes care plan, if one exists, and not this Procedure. See Care of Students with Diabetes Act, 105 ILCS 5/10-22.21b, added by P.A. 96-1485.If so, ask the health care provider to complete a “Medicine Authorization Form.” **This form must be completed and given to VASE before the school will store or dispense any medication and before your child may possess asthma medication or an epinephrine auto-injector.**If a student is on a medication indefinitely, the parent/guardian must file a new “Medication Authorization Form” every year.Bring the medication to the school office. If the medicine is for asthma or is an epinephrine auto-injector, a student may keep possession of it for immediate use at the student’s discretion: (1) while in Middle Fork, (2) while at a Middle Fork-sponsored activity, (3) while under the supervision of school personnel, or (4) before or after normal school activities, such as while in before-school or after-school care on VASE-operated property (105 ILCS 5/22-30, amended by P.A. 96-1460).For asthma inhalers, provide the prescription label. Bring other prescription medications to the school in the original package or appropriately labeled container. The container shall display:Student’s namePrescription numberMedication name and dosageAdministration route and/or other directionDates to be taken Licensed prescriber’s namePharmacy name, address, and phone numberBring non-prescription medications to school in the manufacturer’s original container with the label indicating the ingredients and the student’s name affixed.At the end of the treatment regime, remove any unused medication from the school. |
| VASE Office Personnel | Provide a copy of these procedures, as well as a “School Medication Authorization Form,” to inquiring parents/guardians.Whenever a parent/guardian brings medication for a student to the office, accept the medication, provided the parent/guardian submits a completed “Medication Authorization Form” and the medication is packaged in the appropriate container.Put the medication in the appropriate locked drawer or cabinet. Tell the school nurse about the medication as soon as possible. |
| School Nurse (certificated school nurse or non-certificated registered professional nurse) | Ensure that a parent/guardian who brings medication for his or her child has complied with the parent/guardian’s responsibilities as described in this administrative procedure.In conjunction with the licensed prescriber and parent/guardian, identify circumstances, if any, in which the student may self-administer the medication and/or carry the medication. A student will be permitted to carry and self-administer medication for asthma or an epinephrine auto-injector.Store the medication in a locked drawer or cabinet. A student may keep possession of medication for asthma or an epinephrine auto-injector. Medications requiring refrigeration should be refrigerated in a secure area.Plan with the student the time(s) the student should come to the nurse’s office to receive medications.Document each dose of the medication in the student’s individual health record. Documentation shall include date, time, dosage, route, and the signature of the person administering the medication or supervising the student in self-administration.Assess effectiveness and side effects as required by the licensed prescriber. Provide written feedback to the licensed prescriber and the parent/guardian as requested by the licensed prescriber.Document whenever the medication is not administered as ordered along with the reasons.If the parent/guardian does not pick up the medication by the end of the school year, discard the medication in the presence of a witness. |
| Middle Fork Principal | Supervise the use of these procedures.Perform any duties described for school office personnel, as needed.Perform any duties described for school nurses, as needed, or delegate those duties to appropriate staff members. No staff member shall be required to administer medications to students, except school nurses, non-certificated and registered professional nurses, and administrators.Make arrangements, in conjunction with the parent/guardian, supervising teachers, and/or bus drivers for the student to receive needed medication while on a field trip. Unless these arrangements can be made, the student must forego the field trip. |

LEGAL REF.: 105 ILCS 5/10-20.14b, 5/10-22.21b, and 5/22-30.

September 2013 7:270-AP2

# Students

## Administrative Procedure - Checklist for Cooperative Supply of Epinephrine Auto-Injectors

[ ]  The Director, school nurse, and/or other necessary school officials should consult the Cooperative Attorney to develop a plan to implement Section 22-30)(f) of the School Code.

[ ]  Obtain a prescription in the VASE’s name and a standing protocol for a supply of epinephrine auto-injectors pursuant to 105 ILCS 5/22-30(f).

[ ]  Designate a locked, secure location(s) for the supply of epinephrine auto-injectors (“supply”) pursuant to 105 ILCS 5/22-30(f).

[ ]  Develop a method for maintaining an inventory of the supply.

The inventory should list the expiration dates.

[ ]  Identify procedures for a log or other recordkeeping of the provision, or administration of epinephrine auto-injectors from the supply.

[ ]  Develop procedures to implement the prescribing physician’s standing protocol for the provision, or administration of the supply, including calling 911 and noting any instructions given by Emergency Management Services.

[ ]  Determine how VASE will identify the student populations whose parents/guardians:

1. Have not completed and signed a “School Medication Authorization Form,” or
2. Have not provided an epinephrine auto-injector to a student for use at school, even though they have completed the School Medication Authorization Form.

[ ]  Determine when the school nurse will provide or administer the supply to students.

The School Code allows the school nurse to:

1. Provide an epinephrine auto-injector that meets the prescription on file in the “Medication Authorization Form” to:
2. Any student whose parent/guardian has not provided an epinephrine auto-injector for him or her to use at school, or
3. Any personnel authorized under the student’s Individual Health Care Action Plan, Food Allergy Emergency Action Plan and Treatment Authorization Form, or Section 504 Plan to administer an epinephrine auto-injector to the student (105 ILCS 5/22-30(b-5), amended by P.A. 97-361). *Any personnel authorized* under these plans is limited to a school nurse, registered nurse, or a properly trained administrator in accordance with Section 10-22.21b of the School Code.
4. Administer an epinephrine auto-injector to any student that the school nurse in good faith believes is having an anaphylactic reaction even though the parent/guardian has not completed and signed a *Medication Authorization Form* or otherwise granted permission to administer the epinephrine auto-injector (105 ILCS 5/22-30(b-10), amended by P.A. 97-361).

[ ]  Assess how to manage requests from parents/guardians who wish to *opt-out* of the supply being available to their child.

The School Code does not provide a mechanism for a student or his or her parent/guardian to “opt-out” of the administration of the Cooperative’s supply of epinephrine auto-injectors when a nurse in good faith professionally believes a student is having an anaphylactic reaction. While there may be religious, health, or other reasons that a student’s parent/guardian may wish to “opt-out” of the administration of an epinephrine auto-injector to their child, the law does not provide a way for parents/guardians to do so. Management of this issue should be discussed with the Cooperative Attorney. For additional guidance on this issue, see policy 7:275, *Orders to Forego Life-Sustaining Treatment*.

[ ]  Determine how to notify all parents/guardians about how the supply may be provided or administered to students.

If VASE maintains a supply, it must notify parents/guardians of the protections from liability granted to it and the prescribing physician by 105 ILCS 5/22-30(c). There are two groups of parents/guardians that VASE must notify: (1) parents/guardians of students who have previously signed a *Medication Authorization Form*, and (2) parents/guardians of all students.

For parents/guardians who have previously signed the *Medication Authorization Form*, 105 ILCS 5/22-30(c) requires VASE to provide additional notice that the physician providing the standing protocol and prescription for the Cooperative’s supply of epinephrine auto-injectors is protected from liability, except for willful or wanton conduct arising from the use of an epinephrine auto-injector regardless of whether authorization was given by the student, parent/guardian, or student’s physician. Discuss with the Cooperative Attorney whether to amend VASE’s form(s) to include this language.

For parents/guardians of all students, 105 ILCS 5/22-30(c) requires parents/guardians to be informed that: (1) the Cooperative maintains a supply of epinephrine, and (2) VASE and the prescribing physician are protected from liability when the school nurse administers epinephrine from the supply to any student when the school nurse in good faith professionally believes the student is having an anaphylactic reaction. There are several methods to inform parent/guardians of this information, e.g., receipt of handbook signature, or see 7:270 E, *Medication Authorization Form*. Discuss with the Cooperative Attorney the method that works best for VASE.

[ ]  Develop a system for notifying the parents/guardians of students who received an injection of epinephrine from the Cooperative’s supply, either through self-administration or from the school nurse.

105 ILCS 5/22-30 is silent regarding this notification to parents/guardians. However, other existing protocols will already require this important notification. Further, it is a best practice. Notification and proper documentation can provide useful information for examining and evaluating risks as well as defending a lawsuit. The standing protocol from the prescribing physician may require completion of his or her designated forms. Determine the best method for notification of parents/guardians with the Cooperative Attorney.

September 2013 7:270-E

# Students

## Exhibit - Medication Authorization Form

*To be completed by the child’s parent(s)/guardian(s). A new form must be completed every school year. Keep in the school nurse’s office or, in the absence of a school nurse, the Principal’s office.*

|  |  |  |  |
| --- | --- | --- | --- |
| Student’s Name: |  | Birth Date: |  |
| Address: |  |
| Home Phone: |  | Emergency Phone: |  |
| School: |  | Grade: |  | Teacher: |  |

*To be completed by the student’s physician, physician assistant, or advanced practice RN (***Note**: *for asthma inhalers only, use the “Asthma Inhalers” section below):*

|  |  |
| --- | --- |
| Physician’s Printed Name: |  |
| Office Address: |  |
| Office Phone: |  | Emergency Phone: |  |
| Medication name: |  |
| Purpose: |  |
| Dosage: |  | Frequency: |  |
| Time medication is to be administered or under what circumstances: |  |
|  |
| Prescription date: |  | Order date: |  | Discontinuation date: |  |
| Diagnosis requiring medication: |  |
| Is it necessary for this medication to be administered during the school day ? | [ ]  Yes [ ]  No |
| Expected side effects, if any: |  |
| Time interval for re-evaluation: |  |
| Other medications student is receiving: |  |
|  |  |
|  | Physician’s signature |  | Date |

Asthma Inhalers

*Parent(s)/Guardian(s) please attach prescription label here:*

***For only parents/guardians of students who need to carry asthma medication or an epinephrine auto-injector:***

I authorize VASE and its employees and agents, to allow my child or ward to carry and self-administer his or her asthma inhaler and/or use his or her epinephrine auto-injector: (1) while in school, (2) while at a Middle Fork-sponsored activity, (3) while under the supervision of school personnel, or (4) before or after normal Middle Fork activities, such as while in before-school or after-school care on VASE property. Illinois law requires the Cooperative to inform parent(s)/guardian(s) that it, and its employees and agents, incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student’s self-administration of medication or epinephrine auto-injector (105 ILCS 5/22-30). ***If you agree please initial:***

 Parent/Guardian

***For all parents/guardians:***

By signing below, I agree that I am primarily responsible for administering medication to my child. However, in the event that I am unable to do so or in the event of a medical emergency, I hereby authorize VASE and its employees and agents, in my behalf, to administer or to attempt to administer to my child (or to allow my child to *self-administer* pursuant to State law, while under the supervision of the employees and agents of the Cooperative), lawfully prescribed medication in the manner described above. **I acknowledge that it may be necessary for the administration of medications to my child to be performed by an individual other than a school nurse and specifically consent to such practices**, and

I agree to indemnify and hold harmless VASE and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration or the child’s self-administration of medication.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Parent/Guardian printed name |  |  |
| Address (if different from Student’s above): |  |
| Phone: |  | Emergency Phone: |  |
|  |  |
|  |  |  |  |  |  |  |
| Parent/Guardian signature |  |  |  |  |  | Date |
|  |

September 2013 7:275

# Students

## Orders to Forgo Life-Sustaining Treatment

Written orders from parent(s)/guardian(s) to forgo life-sustaining treatment for their child or ward must be signed by the child’s physician and given to the Director. This policy shall be interpreted in accordance with the Illinois Health Care Surrogate Act (755 ILCS 40/1 et seq.).

Whenever an order to forgo life-sustaining treatment is received, the Director shall convene a multi-disciplinary team that includes the child’s parent(s)/guardian(s) and physician, as well as school personnel designated by the Director The team shall determine specific interventions to be used by school staff members in the event the child suffers a life-threatening episode at school or a school event. The Cooperative personnel shall convey orders to forgo life-sustaining treatment to the appropriate emergency or healthcare provider.

LEGAL REF.: 755 ILCS 40/1 et seq.

Cruzan v. Director, Missouri Department of Health, 497 U.S. 261 (1990).

In re: C.A., a minor, 603 N.E.2d 1171 (Ill.App.1, 1992).

ADOPTED: FEBRUARY 2, 2014

September 2013 7:280

# Students

## 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 policies of the Governing Board and Executive Council. The Director will develop procedures to safeguard these rights while managing health and safety concerns.

LEGAL REF.: 105 ILCS 5/10-21.11.

410 ILCS 315/2a.

23 Ill.Admin.Code §§ 1.610 and 226.300.

77 Ill.Admin.Code Part 690.

Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.

Rehabilitation Act, Section 504, 29 U.S.C. §794(a).

ADOPTED: FEBRUARY 2, 2014

September 2013 7:285

# Students

## Food Allergy Management Program

School attendance may increase a student’s risk of exposure to allergens that could trigger a food-allergic reaction. A food allergy is an adverse reaction to a food protein mediated by the immune system which immediately reacts causing the release of histamine and other inflammatory chemicals and mediators. While it is not possible for the Cooperative to completely eliminate the risks of exposure to allergens when a student is at school, a Food Allergy Management Program using a cooperative effort among students’ families, staff members, and students helps the Cooperative reduce these risks and provide accommodations and proper treatment for allergic reactions.

The Director or designee shall develop and implement a Food Allergy Management Program that:

1. Fully implements the following goals established in The School Code: (a) identifying students with food allergies, (b) preventing exposure to known allergens, (c) responding to allergic reactions with prompt recognition of symptoms and treatment, and (d) educating and training all staff about management of students with food allergies, including administration of medication with an auto-injector, and providing an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management.
2. Follows and references the applicable best practices specific to the Cooperative’s needs in the joint State Board of Education and Ill. Dept. of Public Health publication *Guidelines for Managing Life-Threatening Food Allergies in Schools*, available at:

www.isbe.net/nutrition/pdf/food\_allergy\_guidelines.pdf.

1. Complies with State and federal law and is in alignment with Board policies.

LEGAL REF.: 105 ILCS 5/2-3.149 and 5/10-22.39.

*Guidelines for Managing Life-Threatening Food Allergies in Schools* *(Guidelines)*, jointly published by the State Board of Education and Ill. Dept. of Public Health.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:100 (Staff Development Program), 6:120 (Education of Children with Disabilities), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100, (Relations with Other Organizations and Agencies)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:310

# Students

## Restrictions on Publications

School-Sponsored Publications and Web Sites

School-sponsored publications, productions, and web sites are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material that is inconsistent with the Cooperative’s educational mission.

All school-sponsored communications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

The author’s name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

Non-School Sponsored Publications Accessed or Distributed On-Campus

For purposes of this section and the following section, a *publication* includes, without limitation: (1) written or electronic print material, and (2) audio-visual material, on any medium including electromagnetic media (e.g. images, MP3 files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, CD-ROM, etc.) or on-line (e.g., any website, social networking site, database for information retrieval, etc.).

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 Cooperative.

Students are prohibited from creating, distributing and/or accessing at school any publication that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. Violates the rights of others, including but not limited to material that is libelous, invades the privacy of others, or infringes on a copyright;
3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by School Governing Board/Executive Council policy and Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use; or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students.
6. 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.

LEGAL REF.: Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).

Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 89 S.Ct. 733 (1969).

CROSS REF.: 6:235 (Access to Electronic Networks), 7:180 (Preventing Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in School Provided by Non-School Related Entities)

ADOPTED: FEBRUARY 2, 2014

September 2013 7:340

# Students

## Student Records

Student records are confidential. Information from them shall not be released other than as provided by law. A 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/educational agency or at its direction by a school/agency employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member’s sole possession.
2. Records maintained by law enforcement officers working in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 17 years who has been arrested or taken into custody.

State and federal law grants students and parents/guardians certain rights, including the right to inspect, copy, and challenge student records. The information contained in 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 Cooperative may release directory information as permitted by law, but a parent/guardian shall have the right to object to the release of information regarding his or her child. However, the Cooperative will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student’s records without notice to, or the consent of, the student’s parent/guardian.

The Director shall fully implement this policy and designate an *official records custodian* for the Cooperative who shall maintain and protect the confidentiality of student records, inform staff members of this policy, and inform students and their parents/guardians of their rights regarding school student records.

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/.

105 ILCS 5/10-20.21b, 20.37, 20.40, 5/14-1.01 et seq., and 10/.

50 ILCS 205/7.

23 Ill.Admin.Code Parts 226 and 375.

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights)

ADMIN PROC.: 7:15-E (Notification to Parents of Family Privacy Rights), 7:340-AP1 (School Student Records), 7:340-AP1, E1 (Notice to Parents/Guardians and Students of Their Rights Concerning a Student’s School Records), 7:340-AP1, E3 (Letter to Parents Concerning Military Recruiters and Postsecondary Institutions Receiving Student Directory Information),7:340-AP2 (Storage and Destruction of School Student Records), 7:340-AP2, E1 (Schedule for Destruction of School Student Records)

ADOPTED: FEBRUARY 2, 2014

September 2013 8:10

# Community Relations

## Connection with the Community

The Director is the Cooperative’s chief spokesperson and shall plan and implement a Cooperative public relations program that should include:

1. Regular news releases concerning Cooperative programs, policies, and activities that will be sent to the news media.
2. News conferences and interviews, as requested or needed. Individuals may speak for the Cooperative only with prior approval from the Director.
3. Publications having a high quality of editorial content and effective format. All publications shall identify the Cooperative, program or classroom and shall include the name of the Director, the Principal, and/or the author and the publication date.
4. Other efforts that highlight the Cooperative’s programs and activities.

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

ADOPTED: FEBRUARY 2, 2014

February 2008 8:25

# Community Relations

## 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.

Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Director, advertise events pertinent to students’ interests or involvement. This may include displaying posters in areas reserved for community posters, having flyers distributed to students, or being included in the school’s or Cooperative’s website where appropriate. All material and literature must be student-oriented and have the sponsoring organization’s name prominently displayed.

No individual or entity may advertise or promote its interests by using the names or pictures of the Cooperative, any Cooperative school or facility, staff members, or students except as authorized by and consistent with administrative procedures and approved by the Governing Board/Executive Council.

Material from candidates and political parties will not be accepted for posting or distribution, except when used as part of the curriculum.

LEGAL REF.: Berger v. Rensselaer Central School Corp., 982 F.2d 1160 (7th Cir. 1993), *cert. denied*, 113 S.Ct. 2344 (1993).

DiLoreto v. Downey Unified School Dist., 196 F.3d 958 (9th Cir. 1999).

Hedges v. Wauconda Community Unit School Dist., No. 118, 9 F.3d 5 (7th Cir. 1993).

Lamb’s Chapel v. Center Moriches Union Free School Dist., 113 S.Ct. 2141 (1993).

Sherman v. Community Consolidated School Dist. 21, 8 F.3d 1160 (7th Cir. 1993), *cert. denied*, 114 S.Ct. 2109 (1994).

ADOPTED: FEBRUARY 2, 2014

September 2013 8:30

# Community Relations

## Visitors to and Conduct on Cooperative Property

The following definitions apply to this policy:

**Cooperative property** – The Cooperative’s buildings and grounds, vehicles used for school purposes, and any location used for a Governing Board/Executive Council meeting or other Cooperative-sponsored event.

**Visitor** - Any person other than student enrolled in one of the Cooperative’s classroom-based programs or Cooperative employee.

All visitors to Cooperative property are required to report to the Principal’s office and receive permission to remain on school property. On those occasions when large groups of parents and friends are invited onto school property, visitors are not required to check in but must follow school officials’ instructions. Persons on Cooperative property without permission will be directed to leave and may be subject to criminal prosecution.

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member by telephone or email to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher’s conference/preparation period.

Requests to access a Cooperative 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 office of the Principal. Access shall be facilitated according to guidelines from the Director or designee.

The Cooperative expects mutual respect, civility, and orderly conduct among all people on Cooperative property or at a Cooperative event. No person on Cooperative property or at a Cooperative event (including visitors, students, and employees) shall:

1. Strike, injure, threaten, harass, or intimidate a staff member, a Governing Board/Executive Council member, or any other person;
2. Use vulgar or obscene language;
3. Possess a weapon, any object that can reasonably be considered a weapon or looks like a weapon, or any dangerous device;
4. Damage or threaten to damage another’s property;
5. Damage or deface Cooperative property;
6. Violate any Illinois law, or town or county ordinance;
7. Smoke or otherwise use tobacco products;
8. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs;
9. Impede, delay, disrupt, or otherwise interfere with any Cooperative activity or function (including using cellular phones in a disruptive manner);
10. Enter upon any portion of Cooperative premises at any time for purposes other than those that are lawful and authorized by the Governing Board/Executive Council;
11. Operate a motor vehicle: (a) in a risky manner, (b) in excess of the posted speed limit, or (c) in violation of an authorized Cooperative employee’s directive;
12. Violate other Cooperative policies or regulations, or a directive from an authorized security officer or Cooperative employee; or
13. Engage in any conduct that interferes with, disrupts, or adversely affects the Cooperative or a Cooperative function.

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 is:

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

In all cases, the Director, 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

Authorized agents of an exclusive bargaining representative, upon notifying the Principal’s office, may meet with a school employee (or group of employees) in the school building during free-times of such employees.

Enforcement

Any staff member may request identification from any person on school property; refusal to provide such information is a criminal act. The Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

Any person who engages in conduct prohibited by this policy may be ejected from Cooperative property. The person is also subject to being denied admission to school events or meetings for up to one calendar year.

Procedures to Deny Future Admission to Cooperative Events or Meetings

Before any person may be denied admission to school events or meetings as provided in this policy, the person has a right to a hearing before the Governing Board/Executive Council. The Director may refuse the person admission pending such hearing. The Director or designee must provide the person with a hearing notice, delivered or sent by certified mail with return receipt requested, at least 10 days before the Governing Board/Executive Council hearing date. The hearing notice must contain:

1. The date, time, and place of the Governing Board/Executive Council hearing;
2. A description of the prohibited conduct;
3. The proposed time period that admission to school events will be denied; and
4. Instructions on how to waive a hearing.

LEGAL REF.: Nuding v. Cerro Gordo Community Unit School Dist., 730 N.E.2d 96 (Ill.App.4, 2000).

Pro-Children Act of 1994, 20 U.S.C. §7181 et seq.

105 ILCS 5/10-20.5b, 5/24-24, and 5/24-25.

720 ILCS 5/11-9.3.

CROSS REF.: 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; Tobacco Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Discipline)

ADOPTED: FEBRUARY 2, 2014

September 2013 8:70

# Community Relations

## Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities and will not be subject to illegal discrimination. When appropriate, the Cooperative may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others.

The Cooperative will provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Director or designee is designated the Title II Coordinator and shall:

1. Oversee the Cooperative’s compliance efforts, recommend necessary modifications to the School Governing Board/Executive Committee, and maintain the Cooperative’s final Title II self-evaluation document and keep it available for public inspection for at least 3 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 Director 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 Director or designated 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 5/10-20.46.

410 ILCS 25/, Environmental Barriers Act.

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Expansion Programs)

ADOPTED:

September 2013 8:80

# Community Relations

## Gifts to the Cooperative

The School Governing Board/Executive Council accepts gifts from any education foundation or other entity or individual, provided the gift can be used in a manner compatible with the Governing Board/Executive Council’s educational objectives and policies. While the Governing Board/Executive Council encourages unrestricted gifts, donations to fund specific projects are acceptable if the project is approved by the Governing Board/Executive Council. The Director shall develop procedures for review and approval of donations that involve incorporating messages into or placing messages upon school property. All gifts received become the Cooperative’s property.

LEGAL REF.: 105 ILCS 5/16-1.

ADOPTED: FEBRUARY 2, 2014

September 2013 8:100

# Community Relations

## Relations with Other Organizations and Agencies

The Cooperative shall cooperate with other organizations and agencies, including but not limited to:

1. County Health Department
2. Law enforcement agencies
3. Fire authorities
4. Planning authorities
5. Zoning authorities
6. Illinois Emergency Management Agency (IEMA), local organizations for civil defense, and other appropriate disaster relief organizations concerned with civil defense
7. School districts

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and Police Interviews)

ADOPTED: FEBRUARY 2, 2014

September 2013 8:110

# Community Relations

## Public Suggestions and Concerns

The Governing Board and Executive Council are interested in receiving suggestions and concerns from members of the community. Any individual may make a suggestion or express a concern at the Cooperative office. All suggestions and/or concerns will be referred to the appropriate level staff member or Cooperative 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 after following the channels of authority, may file a grievance under the Governing Board/Executive Council policy 2:260, *Uniform Grievance Procedure*. Neither this policy nor the *Uniform Grievance Procedure* creates an independent right to a hearing before the Governing Board or Executive Council.

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

ADOPTED: FEBRUARY 2, 2014

November, 2013 8:115

**Community Relations**

**Concealed Firearms**

It is expressly forbidden for any person to carry a concealed firearm in any building, real property or parking lot under the control of the Cooperative. Any violation of this policy will result in immediate action, which will include, but not be limited to, contact with local or state law enforcement. Any person or persons in violation of this policy may also be permanently banned from any such property controlled by the Cooperative, pending action by the Governing Board/Executive Council.

CROSS REF.: 8:30 (Visitors to and Conduct on Cooperative Property)

LEGAL REF.: P.A. 98-0063

ADOPTED: May 5, 2014