

**IASB POLICY REFERENCE MANUAL  
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## **School Board**

### **School District Governance**

The District is governed by a Board of Education consisting of 7 members. The Board's powers and duties include the broad authority to adopt and enforce all necessary policies for the management and government of the public schools.

Official action by School Board members must occur at duly called and legally conducted meeting. "Meeting" is defined as any gathering of the majority of a quorum of School Board members for the purpose of discussing School District business.

Their participation in meetings, therefore, is the basic manner in which they fulfill their high office. The method of participation is discussion, deliberation, debate, and voting. Administrative action for members is legally not appropriate. All members are expected to participate fully in deliberation and voting.

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

LEGAL REF.: 105 ILCS 5/10-1, 5/10-10, and 5/10-20.5.  
5 ILCS 120/1.01.

CROSS REF.: 1:10

## **School Board**

### **Powers and Duties of the School Board**

The powers and duties of the School Board generally include:

1. Formulating, adopting, and modifying School Board policies, at its sole discretion, subject only to mandatory collective bargaining agreements and State and federal law.
2. Employing a Superintendent and other personnel, making employment decisions, and dismissing personnel.
3. Directing, through policy, the Superintendent, in his or her charge of the District's administration.
4. Approving the annual budget, tax levies, major expenditures, payment of obligations, annual audit, and other aspects of the District's financial operation.
5. Entering contracts using the public bidding procedure when required.
6. Providing, constructing, controlling, supervising, and maintaining adequate physical facilities.
7. Approving the curriculum, textbooks, and educational services.
8. Evaluating the educational program and approving School Improvement and District Improvement Plans when they are required to be developed or revised.
9. Establishing and supporting student discipline policies designed to maintain an environment conducive to learning, including hearing individual student suspension or expulsion cases brought before it.
10. Establishing attendance units within the District and assigning students to the schools.
11. Establishing the school year.
12. Visiting District facilities.
13. Providing student transportation services.
14. Entering into joint agreements with other school boards to establish cooperative educational programs or provide educational facilities.
15. Complying with requirements in the Abused and Neglected Child Reporting Act. Specifically, each individual School Board member must, if an allegation is raised to the member during an open or closed School Board meeting that a student is an abused child as defined in the Act, direct or cause the School Board to direct the Superintendent or other equivalent school administrator to comply with the Act's requirements concerning the reporting of child abuse.
16. Communicating the schools' activities and operations to the community and representing the needs and desires of the community in educational matters.

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), 2:10 (School District Governance), 2:80 (Board Member Ethics), 2:240 (Board Policy Development), 5:90 (Abused and Neglected Child Reporting)

REVISED: October 2006

## School Board

### **Exhibit - Waiver and Modification Request Process**

Actor	Action
<p>Superintendent or designee</p>	<p>Develops a plan supporting a waiver or modification request that meets the criteria contained in 105 ILCS 5/2-3.25g, as amended by P.A. 95-223.</p> <p>An approved waiver or modification (except a waiver from or modification to a physical education mandate) may: (a) remain in effect for 5 school years and may be renewed upon a new application, and (b) be changed within that 5-year period by the Board using the procedure for an initial waiver or modification request.</p> <p>An approved waiver from or modification to a physical education mandate may: (a) remain in effect for 2 school years and may be renewed no more than 2 times, and (b) be changed within the 2-year period by the Board using the procedure for the initial waiver or modification request.</p> <p>Based on the plan, completes ISBE’s preliminary application form.</p> <p>Districts may petition ISBE for a waiver or modification of the mandates in <u>The School Code</u> or ISBE administrative rules.</p> <p>For a waiver or modification of administrative rules or modification of <u>Code</u> mandates, the District must demonstrate that: (1) it can address the intent of the rule or mandate in a more effective, efficient, or economical manner, or (2) a waiver or modification of the rule or mandate is necessary to stimulate innovation or improve student performance.</p> <p>For a waiver of mandates in <u>The School Code</u>, a District must demonstrate the waiver is necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, or teacher tenure and seniority.</p> <p>Identifies a date for a public hearing on the proposed waiver or modification request. If the request concerns a waiver or modification of Section 27-6 of <u>The School Code</u>, (physical education requirements) the public hearing must be held on a day <i>other than</i> on which a regular School Board meeting is held.</p> <p>Publishes notice in a newspaper of general circulation within the District of the date, time, place, and general subject matter of a public hearing on the proposed waiver or modification request. This notice must be published at least 7 days before the hearing.</p>

Actor	Action
	<p>Makes all arrangements for a special meeting if necessary.</p> <p>Notifies in writing all affected exclusive bargaining agents, as well as those State legislators representing the District, of the public hearing on the District's intent to seek a waiver or modification.</p>
<p>School Board</p>	<p>Holds a public hearing in an open meeting on the waiver or modification. Staff directly involved in its implementation, parents, and students must be allowed to testify. The time period for testimony must be separate from the time period set aside for public comment.</p> <p>On the hearing date or in a subsequent open meeting, deliberates on the draft plan and application supporting a waiver or modification request; decides whether to approve the plan and application as amended to include a description of the public hearing.</p> <p style="padding-left: 40px;">A request for a waiver or modification of ISBE rules or for a modification of a mandate contained in <u>The School Code</u> must include a description of the public hearing.</p> <p style="padding-left: 40px;">A request for waiver from a mandate contained in <u>The School Code</u> must include a description of the public hearing, including the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents, a brief description of their comments, and whether there were any written statements submitted.</p> <p>Either attests or authorizes the Superintendent to attest to compliance with all of the notification and procedural requirements.</p>
<p>Superintendent or designee</p>	<p>Within 15 days after approval by the Board, submits the application to ISBE by certified mail, return receipt requested.</p>
<p>ISBE <i>For requests concerning a rule or a modification of <u>The School Code</u></i></p>	<p>No action is required to approve a requested waiver or modification. Disapproval of a request must occur within 45 days following its receipt.</p> <p>Files a report concerning any District appeal of requests disapproved by ISBE with the Senate and House of Representatives by March 1 and October 1 each year.</p>
<p>School Board <i>For requests concerning a rule or a modification of <u>The School Code</u></i></p>	<p>To appeal disapproval by ISBE of a request, notifies ISBE that the District is appealing the disapproval to the General Assembly.</p>
<p>ISBE <i>For requests of a waiver from a mandate in <u>The School Code</u></i></p>	<p>Reviews applications for completeness and files a report with Senate and House of Representatives by March 1 and October 1 each year.</p>
<p>General Assembly</p>	<p>No action is required to approve a waiver or appealed request.</p>

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<b>Actor</b>	<b>Action</b>
	Disapproval of a request or appealed request must occur within 60 days after each house of the legislature next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house.
School Board	May seek to renew an approved waiver or modification.

## **School Board**

### **School Board Elections**

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

The School Board's election duties are:

1. The Board, by proper resolution, may place public policy propositions on the ballot.
2. The Board President, Secretary, and the member with the longest continuous service, whose nominating petition is not being challenged, compose the Education Officers Electoral Board to hear and rule on objections to candidate nominating petitions and voter petitions.
3. The Board Secretary or clerk serves as the local election official, assisted by designated representatives appointed by the Board.

LEGAL REF.: 10 ILCS 5/1-3, 5/2A-1.1 et seq., 5/10-9, 5/22-17, 5/22-18, and 5/28-1 et seq.  
105 ILCS 5/9-1 et seq.

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

**Revised: January 1999**

**Revised: May 2005**

**Revised: April 2006**

## **School Board**

### **Board Member Qualifications**

A School Board member must be, on the date of election, a United States citizen at least 18 years of age, a resident of Illinois and the District for at least one year immediately preceding election, a registered voter, be neither a school trustee nor a school treasurer, and not a child sex offender as defined in State Law. A School Board member must also have filed an economic interest statement as required by the Illinois Governmental Ethics Act.

Some persons may be ineligible for School Board membership by reason of other public offices held or certain types of State or federal employment.

LEGAL REF.: Ill. Constitution, Art. 2, ¶ 1; Art 4, ¶ 2(e); Art 6, ¶ 13(b).  
105 ILCS 5/10-3 and 5/10-10.

CROSS REF.: 2:30

**REVISED:** December, 2003

## **School Board**

### **Board Member Term of Office**

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

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

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

LEGAL REF.: 10 ILCS 5/2A-1.1, 5/22-17, and 5/22-18.  
105 ILCS 5/10-10, 5/10-16, and 5/10-16.5.

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

REVISED: October 2006

## **School Board**

### **Board Member Removal From Office**

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

LEGAL REF.: 105 ILCS 5/3-15.5.

CROSS REF.: 2:70

## **School Board**

### **Vacancies on School Board - Filling Vacancies**

#### Vacancy

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

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

#### Filling Vacancies

Whenever a vacancy occurs, the remaining members shall notify the Regional Superintendent of Schools of that vacancy within 5 days after its occurrence and shall fill the vacancy until the next regular school board election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term, the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Members appointed by the remaining members of the Board to fill vacancies shall have the same residential qualifications as their predecessors. The Board shall fill the vacancy within 45 days after it occurred by a public vote at a meeting of the Board.

Immediately following a vacancy on the School Board, the Board will publicize it and accept resumes from District residents who are interested in filling the vacancy. After reviewing the applications, the Board may invite the prospective candidates for personal interviews to be conducted during duly scheduled closed meetings.

LEGAL REF.: 105 ILCS 5/10-10 and 5/10-11.

CROSS REF.: 2:40 (qualifications), 2:60 (removal)

REVISED: March 1998

## **School Board**

### **Board Member Oath and Conduct**

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

**I, (name), do solemnly swear** (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education (or Board of School Directors, as the case may be) of (*name of School District*), in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.

**I further swear** (or affirm) that:

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

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

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

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

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

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

LEG. REF: 105 ILCS 5/10-16.5.

CROSS REF.: 1:30 (School District Philosophy), 2:20 (Powers and Duties of the School Board), 2:50 (Board Member Term of Office), 2:210 (Organizational School Board Meeting)

REVISED: October 2006

## **School Board**

### **Exhibit - Board Member Code of Conduct**

As a member of my local School Board, I will do my utmost to represent the public interest in education by adhering to the following standards and principles:

1. I will represent all School District constituents honestly and equally and refuse to surrender my responsibilities to special interest or partisan political groups.
2. I will avoid any conflict of interest or the appearance of impropriety which could result from my position, and will not use my Board membership for personal gain or publicity.
3. I will recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a Board meeting.
4. I will take no private action that might compromise the Board or administration and will respect the confidentiality of privileged information.
5. I will abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels.
6. I will encourage and respect the free expression of opinion by my fellow Board members and will participate in Board discussions in an open, honest and respectful manner, honoring differences of opinion or perspective.
7. I will prepare for, attend and actively participate in School Board meetings.
8. I will be sufficiently informed about and prepared to act on the specific issues before the Board, and remain reasonably knowledgeable about local, State, national, and global education issues.
9. I will respectfully listen to those who communicate with the Board, seeking to understand their views, while recognizing my responsibility to represent the interests of the entire community.
10. I will strive for a positive working relationship with the Superintendent, respecting the Superintendent's authority to advise the Board, implement Board policy, and administer the District.
11. I will model continuous learning and work to ensure good governance by taking advantage of Board member development opportunities, such as those sponsored by my State and national school board associations, and encourage my fellow Board members to do the same.
12. I will strive to keep my Board focused on its primary work of clarifying the District purpose, direction and goals, and monitoring District performance.



## **School Board**

### **Board Member Conflict of Interest**

No School Board member shall have a beneficial interest directly or indirectly in any contract, work, or business of the District unless permitted by The School Code and the Corrupt Practices Act.

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

LEGAL REF.:       5 ILCS 420/4A-101, 420/4A-105, 420/4A-106, and 420/4A-107.  
                      50 ILCS 105/3.  
                      105 ILCS 5/10-9.

CROSS REF.:     2:105 (Ethics and Gift Ban)

REVISED:        AUGUST, 1999

REVISED:        MAY, 2004

## **School Board**

### **Ethics and Gift Ban**

#### **Prohibited Political Activity**

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

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

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

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

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Board member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a 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 Board members or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. "Catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. "Intra-governmental gift" means any gift given to a Board member or employee from another Board member or employee, and "inter-governmental gift" means any gift given to a Board member or employee 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 Board member or employee, his or her spouse or an immediate family member living with the Board member or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code.

#### Enforcement

The Board President and Superintendent shall seek guidance from the Board attorney concerning compliance with and enforcement of this policy and State ethics laws. The Board 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 Superintendent or Board President. If attempts to correct any misunderstanding or problem do not resolve the matter, the Superintendent or Board

President shall, after consulting with the Board attorney, either place the alleged violation on a Board meeting agenda for the Board's disposition or refer the complainant to Board policy 2:260, *Uniform Grievance Procedure*. A Board 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 Board. If the Board 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 District and any other time when the employee is executing his or her official duties, regardless of location.

“Prohibited source” means any person or entity who:

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

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

LEGAL REF.: 5 ILCS 430/1-1 et seq.  
10 ILCS 5/9-25.1.

CROSS REF.: 5:120 (Ethics)

Revised: December 2008

## **School Board**

### **Qualifications, Term, and Duties of Board Officers**

The School Board officers are: President, Vice President, Secretary, and Treasurer. These officers are elected at the Board's organizational meeting.

#### **President**

The School Board elects a President from its members for a 2-year term. The duties of the President are:

1. Preside at all meetings;
2. Make all Board committee appointments, unless specifically stated otherwise;
3. Be permitted to attend and observe any meeting of a Board committee;
4. Represent the Board on other boards or agencies;
5. Serve as chairperson of the Education Officers Electoral Board which hears challenges to School Board candidate nominating petitions;
6. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
7. Call special meetings of the Board;
8. Review appeals of record access requests that were denied;
9. Ensure that a quorum of the Board is physically present at all Board meetings;
10. Administer the oath of office to new Board members; and serve as the Board's official spokesperson to the media.

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

The Vice President fills a vacancy in the Presidency.

#### **Vice President**

The School Board elects a Vice President from its members for a 2-year term. The Vice President performs the duties of the President if:

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

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

#### **Secretary**

The Secretary shall be a member of the Board who serves a 2-year term. The Secretary may receive reasonable compensation, not to exceed \$500 per year, as fixed by the Board at least 180 days before the beginning of the term. The Secretary shall perform or delegate the following duties:

1. Keep Board meeting minutes;
2. Prepare Board meeting agendas and provide them, along with prior meeting minutes, to Board members before the next meeting;
3. Mail meeting notification and agenda to news media who have officially requested copies;

4. Keep records of the Board's official acts, and sign them, along with the President, before submitting them annually to the Treasurer on the first Monday of April and October and on such other times as the Treasurer requests;
5. 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;
6. Act as the local election authority for all School Board elections;
7. Arrange public inspection of the budget before adoption;
8. Publish required notices;
9. Sign official District documents requiring the Secretary's signature; and
10. Maintain Board policy, financial reports, publicity, and correspondence.

A permanent vacancy in the office of Secretary is filled by special Board election.

#### Recording Secretary

The Board may appoint a Recording Secretary who is a staff member. The Recording Secretary's primary responsibility shall be the keeping of records, in bound books with numbered pages, of all transactions of the School Board in regular and special open meetings. In addition, the Recording Secretary or Superintendent shall record all closed meeting minutes and receive notification from Board members who desire to attend a Board meeting by video or audio means pursuant to Board policy 2:220, *School Board Meeting Procedure*.

Treasurer *Class I county school units and Class II county school districts that have withdrawn from the authority of the Township Treasurer.*

The Treasurer of the Board shall be either an elected member of the Board who serves a 1-year term or an appointed non-Board member who serves at the Board's pleasure. A Treasurer who is a Board member may not be compensated. A Treasurer who is not a Board member may be compensated provided it is established before the appointment. An appointed Treasurer must:

1. Be at least 21 years old;
2. Not be a member of the County Board of School Trustees; and
3. Have a financial background or related experience, or 12 credit hours of college-level accounting.

The Treasurer shall:

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

A vacancy in the Treasurer's office is filled by Board appointment.

LEGAL REF.: 5 ILCS 120/7 and 420/4A-106.  
105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8, 5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, and 5/17-1.

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

## **School Board**

### **Board Member Development**

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

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

### **Board Self-Evaluation**

The Board will conduct periodic self-evaluations with the goal of continuous improvement.

### **New Board Member Orientation**

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

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

### **Candidates**

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

LEGAL REF.: 5 ILCS 120/2.

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

Revised: December 2008

## **School Board**

### **Exhibit - Guidelines for Serving as a Mentor to a New School Board Member**

*On District letterhead*

Date

Dear Board Member:

Congratulations on being asked to serve as a mentor to a new School Board member. The goal of the mentoring program is to orient a new Board member to the Board and District and to help him or her be comfortable, develop self-confidence, and become an effective leader. Follow these guidelines to maximize your mentoring effectiveness.

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

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

Sincerely,

School Board President

REVISED: July 2006

## School Board

### Board Member Expenses

No School Board member may receive compensation for services, except that a Board member serving as the Board Secretary may be paid an amount up to the statutory limit if the Board so provides.

The Board 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 school board 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 Board members should seek pre-approval of expenses, except in situations when the expense is diminutive. A Board member must return to the District 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. A Board member submitting a bill for a group function should record participating members' names on the receipt. Money shall not be advanced or reimbursed for: (1) the expenses of any person except the Board member, or (2) anyone's personal expenses.

The Superintendent shall review the submitted vouchers for compliance with this policy. If any voucher's compliance appears uncertain, the Superintendent shall notify the Board President, or Vice President if the voucher in question is from the President, as well as the Board member who submitted the voucher. The Superintendent shall include the voucher in the monthly list of bills that is presented to the Board for approval or rejection.

### Registration

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

### Transportation

The least expensive transportation will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for: (See Board policy 2:110, *Qualifications, Term, and Duties of Board Officers*.)

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

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

#### Meal Charges

Meal charges to the School District should represent "mid-fare" selections for the hotel/meeting facility or general area. Tips are included with the meal charges. Expense vouchers must explain the meal charges incurred.

#### Miscellaneous Expenses

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

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

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:110, (Qualifications, Term, and Duties of Board Officers) 2:120 (Board Member Development), 4:50 (Payment Procedures)

**Revised: August 2007**

## School Board

### **Exhibit - Board Member Travel Expense Voucher**

*To be submitted to the Superintendent*

Name:			
Position:			
Reason for Travel:			
Destination:			
Date of Departure:		Date of Return:	

Date	Travel*		Lodging	Breakfast	Lunch	Dinner	Other	Total
	Miles	Cost						

*Auto mileage =        cents per mile.	TOTAL REQUEST: \$
--	-------------------

APPROVAL:

Board President	Date
Superintendent	Date

## **School Board**

### **Board-Superintendent Relationship**

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

The Board hires, evaluates, and seeks the recommendations of the Superintendent as the District chief executive officer. The Board adopts policies necessary to provide general direction for the District and to encourage achievement of District goals. The Superintendent develops plans, programs, and procedures needed to implement the policies and directs the District's day-to-day operations.

LEGAL REF.: 105 ILCS 5/10-21.4.

CROSS REF.: 3:40

## **School Board**

### **Communications To and From the Board**

Staff members, parents, and community members should submit questions or communications for the School Board's consideration to the Superintendent. The Superintendent shall provide the Board with a summary of these questions or communications and provide, as appropriate, his or her feedback regarding the matter. If contacted individually, Board members will refer the person to the appropriate level of authority, except in unusual situations. Board members' questions or communications to staff or about programs will be channeled through the Superintendent's office. Board members will not take private action that might compromise the Board or District. There is no expectation of privacy for any communication sent to the Board or its members individually, whether sent by letter, email, or other means.

### **Board Member Use of Electronic Mail**

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

- Agenda item suggestions
- Reminders regarding meeting times, dates, and places
- Board meeting agendas or information concerning agenda items
- 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 Board Meeting Procedure), 3:30 (Chain of Command), 8:110

## School Board

### **Exhibit - Guidance for Board Member Communications, Including Email Use**

The School Board is authorized to discuss District business only at a properly noticed Board meeting (Open Meetings Act, 5 ILCS 120/1 *et seq.*). Other than during a Board meeting, a majority or more of a Board quorum may not engage in contemporaneous interactive communication, whether in person or electronically, to discuss District business. This *Guidance* assumes a Board has seven members and covers issues arising from Board policy 2:140, *Communications To and From the Board*.

#### Communications Outside of a Properly Noticed Board Meeting

1. The Superintendent or designee is permitted to email information to Board members. For example, the Superintendent may email Board meeting agendas and supporting information to Board members. When responding to a single Board member's request, the Superintendent should copy all other Board members and include a "do not reply/forward" alert to the group, such as: **"BOARD MEMBER ALERT: This email is in response to a request. Do not reply or forward to the group but only to the sender."**
2. Board members are permitted to discuss any matter except District business with each other, whether in person or by telephone or email, regardless of the number of members participating in the discussion. For example, they may discuss league sports, work, or current events.
3. Board members are permitted to provide information to each other, whether in person or by telephone or email, that is non-deliberative and non-substantive. Examples of this type of communication include scheduling meetings and confirming receipt of information.
4. A Board member is not permitted to discuss District business with more than one other Board member at a time, whether in person or by telephone or email. Stated another way, a Board member may discuss District business in person or by telephone or email with only one other Board member at a time. However, a Board member should not facilitate interactive communication by discussing District business in a series of visits with, or telephone calls or emails to, Board members individually.
5. A Board member should include a "do not reply/forward" alert when emailing a message concerning **District** business to more than one other Board member. The following is an example of such an alert: **"BOARD MEMBER ALERT: This email is not for interactive discussion purposes. The recipient should not reply to it or forward it to any other individual."**
6. Board members should not reply to or forward email received from another Board member.

#### When Must Email Be Retained?

Email, including attachments, that were "prepared, or having been or being used, received, possessed, or under the control of any public body," may be, depending on the content, subject to disclosure as a public record (Freedom of Information Act, 5 ILCS 140/2). Most email sent or received by individual Board members do not satisfy this definition of "public record" even when the content concerns District business. This is because individual Board members generally have no authority other than during a properly called Board meeting. However, there may be exceptions. Accordingly, Board members must be able to distinguish between official record and non-record messages.

### Non-Record Messages

Email messages are “non-record messages” when individual Board members are acting in their individual capacities. This may occur, for example, when an individual Board member’s email describes his or her personal opinions concerning the District or is a response to a community member. **Warning:** these “personal opinions” or “responses” may constitute an illegal Board meeting under the Open Meetings Act if a majority or more of a quorum of the Board discusses District business using email. See the first section of this *Guidance*.

Other examples of non-record messages include:

1. Information from the Superintendent concerning meeting dates, agenda topics, or materials to prepare for or be discussed during a meeting.
2. Personal correspondence, such as, “Do you want to ride with me to the IASB workshop?”
3. Publications or promotional material from vendors, the IASB, or publicly available materials.
4. Correspondence from parents, staff, or community members.

Non-record messages are not “public records” under the Freedom of Information Act and do not need to be stored.

### Official Record Messages

Email messages are “public records” under the Freedom of Information Act (FOIA) when they are “prepared, used, received, or possessed by, or under the control of” the District. Email that qualifies under FOIA as a “public record” will need to be stored only if it is evidence of the District’s organization, function, policies, procedures, or activities or contains informational data appropriate for preservation (Local Records Act, 50 ILCS 205/1 *et seq.*). An example is any email from a Board officer concerning a decision made in his or her capacity as an officer. A Board member must copy this type of email, herein called “official record messages,” to the appropriate District office where it will be stored on the Board member’s behalf. The District will delete these official record messages as provided in an applicable, approved retention schedule.

**Important:** Do not destroy any email concerning a topic that is being litigated without obtaining the Board attorney’s direction. In federal lawsuits there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding not to destroy any electronic records that might be relevant. For more discussion of a litigation hold, see 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*.

**Revised: August 2007**

## **School Board**

### **Committees**

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

#### **Special Board Committees**

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 Board or at the Board's discretion.

#### **Standing Board Committees**

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

1. Board Policy Committee. This committee researches policy issues, and provides information and recommendations to the Board.
2. Parent-Teacher Advisory Committee. This committee assists in the development of student discipline policy and procedure. Its members are parents/guardians and teachers, and may include persons whose expertise or experience is needed. The committee reviews such issues as administering medication in the schools, reciprocal reporting between the School District and local law enforcement agencies regarding criminal offenses committed by students, student discipline, disruptive classroom behavior, school bus safety procedures, and the dissemination of student conduct information.
3. Behavioral Interventions Committee. This committee develops and monitors procedures for using behavioral interventions in accordance with Board policy 7:230, *Misconduct by Students with Disabilities*. At the Board President's discretion, the Parent-Teacher Advisory Committee shall perform the duties assigned to the Behavioral Interventions Committee.

Nothing in this policy limits the authority of the Superintendent or designee to create and use committees that report to him or her or to other staff members. LEGAL REF.: 5 ILCS 120/1 et seq.

105 ILCS 5/10-20.14 and 10/1 et seq.  
23 Ill.Admin.Code Part 226.

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

REVISED: October 2006

## **School Board**

### **Administrative Procedure - Superintendent Committees**

The Superintendent creates Superintendent committees as deemed necessary, makes all appointments, and directs all activities. Superintendent committees report to the Superintendent. Superintendent committees include:

#### Communicable and Chronic Infectious Disease Program Task Force

The task force assists in the development and review of a chronic and infectious disease program consistent with the District's policies and State and federal laws and regulations. Appointments are made to the task force only if the Superintendent determines that its input is desirable.

Task force members include the Superintendent or designee, school medical advisor, a school nurse, and representatives from the School Board, local health department, PTA, the professional staff, and other employee groups.

#### Communicable and Chronic Infectious Disease Review Team

The review team monitors those employees and students who have a communicable and chronic infectious disease, and:

1. Reviews individual medical case histories.
2. Recommends the most appropriate educational setting for a student, that may include temporary removal from and return to the regular educational setting.
3. Recommends the most appropriate work setting for an employee, that may include retention in his/her present position, transfer to another position, or temporarily excused from or returned to his/her work assignment.

Team members include the District's medical advisor, a school nurse, the Building Principal, and the Superintendent or designee.

The review team is guided by the Board's policies, Illinois Department of Public Health rules and regulations, and all other applicable State and federal laws. The review team consults the employee's or the student's personal physician and local health department officials before making any recommendations.

The Communicable and Chronic Infectious Disease Review Team respects the privacy rights of each employee and student and takes such precautions as may be necessary to secure confidentiality.

#### Employee Drug Abuse Committee

The committee makes recommendations regarding employee drug abuse, and:

1. Cooperates with community and State agencies on drug abuse programs.
2. Gathers information about drug abuse and suggests methods to disseminate it to staff.
3. Develops a support network that encourages employees to self-refer for treatment and suggests procedures for early identification and treatment.
4. Recommends procedures that would protect the privacy of employees while taking into consideration the Board's obligation to provide a safe environment and to ensure high quality performance.
5. Recommends a method to explicitly inform employees of District policy and the consequences of drug abuse.

Committee members include the Superintendent or designee, the District's medical advisor, and employee representatives from both professional and educational support personnel. The committee is guided by Board policies, administrative procedures, and relevant State and federal statutes.

#### Title I Advisory Committee

The committee supports the development and implementation of the District's Title I plan. Its activities may include, at the Superintendent's directive:

1. Facilitating the active involvement of parents/guardians in their children's academic success by such activities as coordinating Title I parent-teacher conferences, providing information to help parents/guardians assist their children, coordinating volunteer or paid participation by parents/guardians in school activities, and establishing a process to respond to parents/guardians' inquiries and recommendations.
2. Distributing Title I informational materials.
3. Preparing and monitoring revised School Improvement Plan(s).
4. Supporting the implementation of Board policy 6:170, *Title I Programs*.

Committee members include parents/guardians and teachers of Title I children.

#### Sex Equity Committee

The committee supports the District's efforts to eliminate sexual harassment by advising the Superintendent on prevention, intervention, and education.

Committee members may include community representatives, District administrators, teachers, and students.

## **School Board**

### **Reuterskoild Memorial Committee**

#### Composition of Committee:

The committee shall consist of the Polo Foundation Needs Assessment Committee.

#### Purpose:

To review possible projects to be financed by the interest earned annually on the Reuterskoild Memorial principal (\$70,000).

The committee shall annually present to the Polo Board of Education a recommended project or projects to be financed by the funds available.

The Committee shall function as an advisory committee only.

NOTE: Reuterskoild Will stated, ---

“...bequeath as follows:

[a] 50% thereof.....

[b]....50% thereof the PUBLIC SCHOOL OF POLO, ILLINOIS, for Elementary School purposes.”

**Revised: January 1999**

## School Board

### Committee Membership

#### Community/Staff Advisory/Behavior Interventions Committee

##### Composition of the Committee:

The committee shall consist of:

1. Three community members
2. Three teachers: one from each building
3. Two Students: one Aplington, one High School
4. One Board Member
5. Principals
6. Superintendent

The committee shall meet at least twice each year.

##### Purpose of the Committee:

1. The committee shall have the following purposes:
2. To serve as a communication link between the community, parents, staff, students, and superintendent.
3. To hear and review reports and provide opinion on various grants, reports, and proposed actions. Reports considered will include but not be limited to: behavioral intervention guidelines and student discipline, school improvement plan activities, curriculum, and Drug Free and Chapter One activities.
4. To serve in an advisory capacity to the Superintendent.

##### Term of Membership:

Community and Teacher representatives shall serve for three years on a staggered schedule.

Students shall serve for two years on a staggered schedule.

The President of the Board of Education shall annually appoint by August 1 a member from:

1. The Board of Education
2. the faculty
3. the community
4. the student body

The Board President shall appoint new members to finish terms as vacancies develop.

The Committee shall elect or name the Committee Chairman.

**Revised: January 1999**

## **School Board**

### **Board Attorney**

The School Board may enter into an agreement for legal services with a specific attorney or law firm. The Board Attorney serves on a retainer or other fee arrangement as determined in advance. The Board Attorney will provide services as described in the agreement for legal services. The District will only pay for legal services that are provided in accordance with the agreement for legal services or are otherwise authorized by this policy or a majority of the Board.

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

The Superintendent may authorize the Board Attorney to represent the District in any legal matter until the Board has an opportunity to consider the matter.

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

REVISED: April 2005

## **School Board**

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

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

LEGAL REF.:        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.

**Revised: March 2007**

## School Board

### Administrative Procedure - Qualification Based Selection

These procedures describe how the District will procure architectural, engineering, and land surveying services; the Local Government Professional Services Selection Act will control in the event of a conflict. 50 ILCS 510/1 as amended by P.A. 94-1097. The Superintendent will modify these procedures whenever the Board determines by resolution that an emergency exists and a firm must be selected in an expeditious manner, or the cost of architectural, engineering, and land surveying services for the project is expected to be less than \$25,000. 50 ILCS 510/8.

Actor	Action
Architectural, engineering, or land surveying firms	May annually file a statement of qualifications and performance data with the District. 50 ILCS 510/4.
Superintendent and/or Designee	<p>Store statements of qualifications and performance data received from firms engaged in architectural, engineering, or land surveying services.</p> <p>Unless the District has a satisfactory relationship for services with one or more firms, mail notices of the proposed project to those firms that have current statements of qualifications and performance data on file. In addition, or alternatively, the project may be advertised in the local and area newspapers. 50 ILCS 510/4.</p> <p>Unless the District has a satisfactory relationship for services with one or more firms, evaluate the firms that submitted interest letters, according to criteria for ranking described in the last section of this procedure. The Superintendent and/or designee may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project, and ability to furnish the required services. 50 ILCS 510/5, as amended by P.A. 94-1097.</p> <p>Do not, prior to selecting a firm for contract negotiation, seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation. 50 ILCS 510/5, as amended by P.A. 94-1097.</p> <p>Select no less than 3 firms, who would be most qualified to provide services, and rank them in order of their qualifications. If fewer than 3 firms submit interest letters and the Board determines that one or both of those firms are so qualified, negotiate a contract as provided herein. 50 ILCS 510/6.</p> <p>Attempt to negotiate a contract at a fair and reasonable compensation, taking into account the estimated value, scope, complexity, and professional nature of the services to be rendered. 50 ILCS 510/5, as amended by P.A. 94-1097.</p>
	If unable to reach agreement on a satisfactory contract, terminate negotiations and proceed to negotiate with the firm ranked next in qualifications. 50 ILCS 510/5, as

Actor	Action
	<p>amended by P.A. 94-1097.</p> <p>If unable to negotiate a satisfactory contract with any of the 3 originally selected firms, inform the Board. The District will re-evaluate the services requested and compile a second list of not less than 3 qualified firms and continue the process. 50 ILCS 510/5, as amended by P.A. 94-1097.</p>

Criteria for Ranking Firms

Unless the District has a satisfactory relationship for services with one or more firms, the criteria for evaluating the firms submitting letters of interest may include, but are not limited to:

Required Criteria for Consideration (50 ILCS 510/5.)

- Qualifications and ability of professional personnel
- Past record and experience
- Performance data
- Acceptance of District's time and budget requirements
- Location of firm's administrative offices
- Workload

Permissive Criteria for Consideration

- Firm's credit rating
- Firm's financial stability
- Reputation
- Technological resources

LEGAL REF.:           40 U.S.C. §541.  
                           50 ILCS 510/1 et seq.  
                           105 ILCS 5/10-20.21.

**Revised: March 2007**

## **School Board**

### **Mailing Lists for Receiving Board Material**

The Superintendent 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:

- Board Agenda

- Budgets

- Audits

- Official Board minutes (mailed within 10 days after approval)

The Superintendent 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 District's fiscal year.

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

CROSS REF.: 2:220 (School Board Meeting Procedure)

REVISED: May 2006

## **School Board**

### **Types of School Board Meetings**

#### **General**

For all meetings of the School Board and its committees, the Superintendent or designee shall satisfy all notice and posting requirements contained herein, as well as in the Open Meetings Act. This shall include mailing meeting notifications to news media that have officially requested them, and to others as approved by the School Board. Unless otherwise specified, all meetings are held in the District administrative offices. Board members may attend meetings via a telephone conference call and speaker telephone.

#### **Regular Meetings**

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

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

#### **Closed Meetings**

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

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. 5 ILCS 120/2(c)(1), as amended by P.A. 93-57.
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 this 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 this 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), as amended by P.A. 93-79 and 93-422.
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 this 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).

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

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

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

#### Reconvened or Rescheduled Meetings

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

#### Special Meetings

Special meetings may be called by the President or by any 3 members of the School Board by giving notice thereof, in writing, stating the time, place, and purpose of the meeting to remaining Board members by mail at least 48 hours before the meeting, or by personal service at least 24 hours before the meeting.

Public notice of a special meeting is given by posting a notice at the District's administration 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 School Board 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 District's Website

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

LEGAL REF.: 5 ILCS 120/1 et seq.  
105 ILCS 5/10-6 and 5/10-16.

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

**REVISED: DECEMBER 2005**

## **School Board**

### **Organizational School Board Meeting**

During a March meeting in odd-numbered years, the School Board establishes a date for its organizational meeting to be held sometime after the election authority canvasses the vote, but within 28 days after the consolidated election. The consolidated election is held on the first Tuesday in April of odd-numbered years.

At the organizational meeting the following shall occur:

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

LEGAL REF.: 10 ILCS 5/2A-1 et seq.  
105 ILCS 5/9-18, 5/10-5, 5/10-16, and 105 ILCS 5/10-16.5.

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

REVISED: October 2006

## **School Board**

### **School Board Meeting Procedure**

#### **Agenda**

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

Items submitted by Board members to the Superintendent or the President shall be placed on the agenda for an upcoming meeting. District residents may suggest inclusions for the agenda. Items not specifically on the agenda may still be discussed during the meeting. The Superintendent shall provide a copy of the agenda, with adequate data and background information, to each Board member at least 48 hours before each meeting, except a meeting held in the event of an emergency. The meeting agenda shall be posted in accordance with Board policy 2:200, *Types of School Board Meetings*.

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

#### **Voting Method**

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

On all questions involving the expenditure of money and on all questions involving the closing of a meeting to the public, a roll call vote shall be taken and entered in the Board's minutes. An individual Board member may request that a roll call vote be taken on any other matter; the President or other 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 Board Secretary shall keep written minutes of all Board meetings (whether open or closed), which shall be signed by the President and the Secretary. The minutes include:

1. The meeting's date, time, and place;
2. Board 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 Board 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 Board for approval or modification at its next regularly scheduled open meeting.

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

The Board's meeting minutes must be submitted to the Board Treasurer on the first Monday of April and October, and at other times as the Treasurer may require.

The official minutes are in the custody of the Board Secretary. Open meeting minutes are available for inspection during regular office hours within 7 days after the Board's approval; they may be inspected in the District's main office, in the presence of the Secretary, the Superintendent or designee, or any Board member. Minutes from closed meetings are likewise available, but only if the Board has released them for public inspection. The minutes shall not be removed from the Superintendent's office except by vote of the Board or by court order.

The Board's open meeting minutes shall be posted on the District website within 7 days after the Board approves them; the minutes will remain posted for at least 60 days.

#### Verbatim Record of Closed Meetings

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

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

Individual Board members may listen to verbatim recordings when that action is germane to their responsibilities. In the interest of encouraging free and open expression by Board members during closed meetings, the recordings of closed meetings should not be used by Board members to confirm or dispute the accuracy of recollections.

#### Quorum and Participation by Audio or Video Means

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

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

#### Rules of Order

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

Broadcasting and Recording Board Meetings

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

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

LEGAL REF.:           5 ILCS 120/2a, 120/2.02, 120/2.05, and 120/2.06.  
                          105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.  
                          Prosser v. Village of Fox Lake, 438 N.E.2d 134 (1982).

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

Revised: January 2009

## School Board

### Exhibit - Board Treatment of Closed Meeting Verbatim Records and Minutes

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

<b>Actor</b>	<b>Action</b>
<p><i>Before any Board meeting:</i> Superintendent or designee</p>	<p>Arranges to have an audio recording device with extra recording tapes and a back-up audio recording device in the Board meeting room during every Board meeting regardless of whether a closed meeting is scheduled.</p> <p style="padding-left: 40px;">The Board may close a portion of a public meeting without prior notice; it cannot, however, have a closed meeting unless it can record the session.</p>
<p><i>Before a closed meeting:</i> Board President or presiding officer</p>	<p>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.</p>
<p><i>Before a closed meeting:</i> Superintendent or Board Secretary</p>	<p>Immediately before a closed meeting, tests and activates the audio recording device.</p>
<p><i>During a closed meeting:</i> Board President or presiding officer</p>	<p>Convenes the closed meeting stating:</p> <p style="padding-left: 40px;">Seeing a quorum of the Board of Education 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 the District.</p> <p>Limits discussion to the topics that were included in the motion to go into a closed meeting.</p> <p style="padding-left: 40px;">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 Board member in the event of the President's failure.</p> <p>Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time.</p>
<p><i>After a closed meeting:</i> Superintendent or Board</p>	<p>Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and items discussed.</p>

<b>Actor</b>	<b>Action</b>
Secretary	<p>Adds the identification information contained on the audio recording’s label to a cumulative list of closed meeting recordings.</p> <p>As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings.</p> <p>Prepares written closed meeting minutes that include:</p> <ul style="list-style-type: none"> <li>• The date, time, and place of the closed meeting</li> <li>• The Board members present and absent</li> <li>• A summary of discussion on all matters proposed or discussed</li> <li>• The time the closed meeting was adjourned</li> </ul>
<p><i>After a closed meeting:</i> School Board</p>	<p>Approves the previous closed meeting minutes at the next open meeting.</p>
<p><i>In preparation for the semi-annual review:</i> Superintendent or designee</p>	<p>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 Board will conduct its semi-annual review.</p> <p style="padding-left: 40px;">This step is in preparation of the Board’s meeting to decide whether the need for confidential treatment of specific closed meeting minutes continues to exist.</p> <p>If the Board wants to discuss closed meeting minutes in closed session, places “review of unreleased closed meeting minutes” on a closed meeting agenda.</p> <p>Places “result of Board’s review of unreleased closed meeting minutes” on a subsequent open meeting agenda.</p>
<p><i>In preparation for the semi-annual review:</i> Individual School Board members</p>	<p>Before the meetings in which the Board will conduct its semi-annual review, examines the material supplied by the Superintendent.</p> <p style="padding-left: 40px;">Individual Board members should consider: (1) the Superintendent’s recommendation, (2) the recommendation of the attorney representing the District, (3) other Board 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.</p>
<p><i>During the semi-annual review:</i> School Board</p>	<p>During an open meeting, decides whether the need for confidential treatment of specific closed meeting minutes continues to exist.</p> <p style="padding-left: 40px;">The Board may have an earlier meeting in closed session to discuss the continued need for confidential treatment.</p> <p>During the semi-annual review, the Board 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.</p>

<b>Actor</b>	<b>Action</b>
<i>After the semi-annual review:</i> Superintendent or designee	Re-labels and re-files closed meeting minutes as appropriate.
<i>Monthly, beginning July 2005:</i> Board President	Adds “destruction of closed meeting audio recording” as an agenda item to an upcoming open meeting.
<i>Monthly, beginning July 2005:</i> School Board	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.

REVISED: October 2004

## School Board

### 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 the District or legal counsel for the District, including hearing testimony on a complaint lodged against an employee or against legal counsel for the District to determine its validity. 5 ILCS 120/2(c)(1), as amended by P.A. 93-0057.
- Collective negotiating matters between the District and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
- The selection of a person to fill a public office, including a vacancy in a public office, when the District is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the District is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
- Evidence or testimony presented in open hearing, or in closed hearing where authorized by law, to a quasi-judicative body, as defined in this 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 the District, 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 the District. 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), as amended by P.A. 93-79 and P.A. 93-422.
- 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 District has been filed and is pending before a court or administrative tribunal, or when the District finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the closed meeting minutes. 5 ILCS 120/2(c)(11).
- The 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 the District or any intergovernmental risk management association or self insurance pool of which the District 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 the District is a member. 5 ILCS 120/2(c)(16).
- Discussion of lawfully closed meeting minutes, 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”
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**Motion carried.**

## School Board

### **Exhibit - Closed Meeting Minutes**

*To be filed in Superintendent's office*

Month:	Day:	Year:
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<b>MOTION TO ADJOURN TO CLOSED MEETING</b>	
A motion was made by _____ and seconded by _____ to adjourn to closed meeting to discuss:	
<u>“Yeas”</u>	<u>Roll Call:</u>  <u>“Nays”</u>
Motion carried.	Time:
<b>MEMBERS PRESENT AT CLOSED MEETING</b>	
The following members answered roll call at _____ p.m., at the closed meeting. <u>Roll Call:</u>	
<b>ITEMS DISCUSSED</b>	
1.	
2.	
3.	
<b>RETURN TO OPEN MEETING</b>	
A motion was made by _____, and seconded by _____, at _____ p.m. to return to open meeting.	
Motion carried.	

## **School Board**

### **Public Participation at School Board Meetings and Petitions to the Board**

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

The individuals appearing before the Board are expected to follow these guidelines:

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board President.
2. Identify him or herself and be brief. Ordinarily, such comments shall be limited to 5 minutes. In unusual circumstances, and when the person has given advance notice of the need to speak for a longer period of time, such person may be allowed to speak for more than 5 minutes.
3. The Board President may shorten or lengthen a person's opportunity to speak. The President may also deny the opportunity to speak to a person who has previously addressed the Board on the same subject within the past 2 months.
4. The Board President shall have the authority to determine procedural matters regarding public participation not otherwise defined in School Board policy.

Petitions or written correspondence to the Board shall be presented to the School Board at the next regularly scheduled Board meeting.

LEGAL REF.: 105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:240

**Revised: January 1999**

## **School Board**

### **Board Policy Development**

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

#### Policy Development

Anyone may propose new policies, changes to existing policies, or elimination of existing policies. Staff suggestions should be processed through the Superintendent. Suggestions from all others should be made to the Board President or the Superintendent.

A Board Policy Committee will consider all policy suggestions, and provide information and recommendations to the Board.

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

#### Policy Adoption and Dissemination

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

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

#### Board Policy Review and Monitoring

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

#### Superintendent Implementation

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

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

#### Suspension of Policies

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

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

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

REVISED: October 2006

## **School Board**

### **Access to District Public Records**

The District's "public records" are those documents, tapes, photographs, letters, and any other recorded information or material, regardless of physical form or characteristics, that were prepared, used, received, or possessed by, or under the control of, the District, a school, a school official, or an employee. Public records, including email messages, shall be preserved and cataloged, if they: (1) are evidence of the District's organization, function, policies, procedures, or activities, or (2) contain informational data appropriate for preservation. Public records that are required to be preserved and cataloged may be destroyed when authorized by the Local Records Commission.

The Superintendent or designee shall respond to requests made under the Illinois Freedom of Information Act from anyone desiring to inspect and/or copy a District public record. The Superintendent or designee shall approve the request, unless:

1. The requested material is: (a) not a "public record" as defined in this policy, (b) exempt from inspection and copying by the Freedom of Information Act or any other State or federal law, or (c) not required to be preserved or cataloged; or
2. Complying with the request would be unduly burdensome.

When responding to a request for a record containing both exempt and non-exempt material, the Superintendent or designee shall delete exempt material from the record before complying with the request. The Board President or Superintendent shall report to the Board at each regular meeting any Freedom of Information Act requests as well as the status of the response.

The Superintendent shall implement this policy with administrative procedures. The Board will set copy fees periodically.

LEGAL REF.: Chicago Tribune Company v. Bd. of Ed. of the City of Chicago, 773 N.E.2d 674 (Ill.App.1, 2002).  
5 ILCS 140/1 et seq.  
105 ILCS 5/10-16.  
820 ILCS 130/5.

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

REVISED: July 2006

## School Board

### **Administrative Procedure - Access To and Copying of District Public Records**

Actor	Action								
Everyone	Inspection of District records that is allowed by Board policy 2:250, <i>Access to the District Public Records</i> , will be permitted at the District office, <u>[address]</u> . Inspection is allowed Monday through Friday, between 8:30 a.m. and 4:00 p.m., on days the District office is open for business.								
Superintendent	Appoints a Records Custodian. From time-to-time as appropriate, recommends a copying fee schedule to the Board.								
School Board	From time-to-time by Board resolution, determines: <ol style="list-style-type: none"> <li>1. Copying fees that are reasonably calculated to reimburse the District for the actual costs of reproducing and certifying the records.</li> <li>2. The amount by which copy fees will be reduced if the person making the request states a specific purpose for the request that is in the public interest (5 ILCS 140/6). A request is in the “public interest” if its purpose is to access and disseminate information regarding the health, safety and welfare, or the legal rights of the general public, and is not for the principal purpose of personal or commercial benefit. “Commercial benefit” does not apply to news media requests. In setting the amount of the reduction, the Board may consider the amount of materials requested and the cost of copying them.</li> </ol> <p>The following fees are currently charged for copying District records:</p> <table style="width: 100%; border: none;"> <tr> <td style="padding-right: 20px;">Letter size paper</td> <td style="text-align: right;">\$ <u>          TBD          </u></td> </tr> <tr> <td>Legal size paper</td> <td style="text-align: right;">\$ <u>          TBD          </u></td> </tr> <tr> <td>Over-sized paper</td> <td style="text-align: right;">\$ <u>          TBD          </u></td> </tr> <tr> <td>Public interest requests will be reduced by</td> <td style="text-align: right;"><u>          TBD          </u>%</td> </tr> </table>	Letter size paper	\$ <u>          TBD          </u>	Legal size paper	\$ <u>          TBD          </u>	Over-sized paper	\$ <u>          TBD          </u>	Public interest requests will be reduced by	<u>          TBD          </u> %
Letter size paper	\$ <u>          TBD          </u>								
Legal size paper	\$ <u>          TBD          </u>								
Over-sized paper	\$ <u>          TBD          </u>								
Public interest requests will be reduced by	<u>          TBD          </u> %								
Individual wishing to inspect/copy a District record	Submit a written request to the Superintendent or Record Custodian. A request must specify the District record with reasonable particularity to avoid confusion and inefficient use of staff time.								
Record Custodian	Evaluates whether the Board policy permits inspection of requested material. Within 7 working days of the request’s receipt, provides written notice to the person making the request whether the request is approved or denied. If a delay in responding is needed due to circumstances specified in 5 ILCS 140/3, provides written notice to the person making the request of the reason for the delay and the date on which a response will be made. The delay may not be greater than 7 additional working days. If the request is approved, notifies the person when the record will be available. If the request is denied, provides written notice to the person making the request of								

<b>Actor</b>	<b>Action</b>
	<p>the reason for the denial and the person’s right to appeal the decision to the School Board President.</p> <p>If compliance with the request would be unduly burdensome due to the request’s breadth, confers with the person making the request in an attempt to reduce the request to manageable proportions. If the request continues to be unduly burdensome, explains this in writing to the person making the request and includes the reason why the request is unduly burdensome.</p> <p>If a school official is currently using the record, informs the person making the request that access will be delayed until the school’s official use is concluded.</p> <p>If the requested records contain both exempt and non-exempt material, deletes the exempt portion(s) and releases the remaining material.</p> <p>Remains present during the inspection or copying; ensures records are never removed from the District office.</p>
Person making request	If copies are requested, pays the copying fee at the time of inspection.
Superintendent or designee	<p>Maintains a directory describing the School District, listing all employees, and describing the types of records that are maintained and available for public inspection, including:</p> <p>Financial records:</p> <ul style="list-style-type: none"> <li>Budget</li> <li>Levy resolution and certificate of tax levy</li> <li>Audit</li> <li>Bills</li> <li>Receipts for revenue</li> <li>Vouchers</li> <li>Canceled checks</li> <li>Water and sewer bills</li> <li>Real estate tax receipts</li> <li>Salary schedules</li> <li>Utility bills</li> </ul> <p>General records:</p> <ul style="list-style-type: none"> <li>School Board minutes</li> <li>School Board resolutions</li> <li>Bidding specifications</li> <li>School Board policies and administrative procedures</li> <li>Administrative instructions to staff (unless exempt)</li> <li>Personnel code</li> <li>Employee names, titles, and dates of employment</li> <li>Office equipment</li> <li>Insurance</li> <li>Capital equipment</li> <li>Real estate</li> <li>Legal notices</li> <li>Newspaper articles</li> </ul>

<b>Actor</b>	<b>Action</b>
	Application for contracts, permits, grants, or agreements (unless exempt) Consulting contracts Contracts for capital equipment Contracts for office supplies Contracts for maintenance and repair Number of employees Official bonds Contractors' records of their workers on District public works
Person making request	May appeal the denial of a request by sending a written notice of appeal to the President of the School Board.
School Board President	Within 7 working days after the notice of appeal, provides written notice of his or her determination concerning the appeal to the person making the appeal.

LEGAL REF.: 5 ILCS 140/1 et seq. (Freedom of Information Act).

820 ILCS 130/5 (Prevailing Wage Act, as amended by P.A. 94-515)

## School Board

### Administrative Procedure - Protocols for Record Preservation and Development of Retention Schedules

Actor	Action
All Staff and Board Members	<p>No district record, as defined in the Illinois Local Records Act, shall be destroyed except as provided herein.</p> <p><i>“Public record means any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein.” 50 ILCS 205/3.</i></p> <p>Do not destroy any District record, no matter its form, if it is subject to a litigation hold.</p> <p>In federal lawsuits there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding to not destroy any electronic records that might be relevant. The receipt of a <i>litigation hold</i> or preservation letter from the Board’s attorney requires all potentially relevant electronic information to be identified, located, and preserved. This includes all e-mail, e-documents, the tapes and servers of discarded systems, and backup data stored elsewhere.</p>
Superintendent	<p>Assign the following activities to the Records Custodian and Head of Information Technology (IT):</p> <ol style="list-style-type: none"> <li><b>1. Develop and maintain a protocol for preserving and categorizing District records;</b></li> <li><b>2. Develop and maintain a record retention and destruction schedule; and</b></li> <li><b>3. Develop protocols to implement a litigation hold.</b></li> </ol>
Records Custodian and Head of IT	<ol style="list-style-type: none"> <li><b>1. Develop and maintain a protocol for preserving and categorizing District records.</b></li> </ol> <p>Develop and maintain a list of all District records organized in categories and sub-categories, e.g., records relating to business, students, personnel, board meetings, etc. Align this list with the list District records required by the Freedom of Information Act. 5 ILCS 140/5.</p> <p>Paper records may be easier to locate than electronic records. Electronic records will potentially exist in all of the available servers, tapes, hard</p>

Actor	Action
	<p>drives, computers, and similar types of electronic devices (e.g., laptops, Blackberrys, cell phones, Palm Pilots, voicemail, etc.).</p> <p>Provide for keeping only “records” and destroying non-records. Avoid filing non-record material with records. Determine what is a non-record, e.g., identical copies of documents maintained in the same file; extra copies of printed or processed materials (official copies of which are retained by the office); blank forms; and personal communications.</p> <p>The goal is to control excessive accumulation of material. Non-record material may be destroyed at any time. 50 ILCS 205/9.</p> <p>Absent a litigation hold, email must be retained only when it contains: (1) evidence of the District’s organization, function, policies, procedures, or activities, or (2) informational data appropriate for preservation. Email that is conversational, personal, or contains brainstorming may generally be deleted.</p> <p>A consistent email retention policy for use across the District ensures that the necessary emails are being retained and emails that are not required to be preserved are purged on a regular basis.</p> <p>Identify and index the location of each category and sub-category of District records. Organize electronic record and data storage.</p> <p>The goal is to ensure that all documents, including electronically created ones, are retained for the required timeframes and are easy to retrieve and produce if necessary.</p> <p><b>2. Develop and maintain a record retention schedule for submission to the Superintendent and eventually to the Local Records Commission.</b></p> <p>Prepare a list of public records that: (1) are not needed for current business, and (2) do not have sufficient administrative, legal, or fiscal value to warrant their further preservation. Stated differently, identify records that have no administrative, legal, or fiscal value.</p> <p>Records that have no administrative, legal, or fiscal value may be destroyed according to provisions in the Local Records Act. 50 ILCS 205/1 <u>et seq.</u></p> <p>Prepare a schedule for record destruction by identifying the length of time a record category or series warrants retention after it has been received or produced by the District.</p> <p>The ultimate goal is to obtain permission to destroy unnecessary public records. The Local Records Commission must approve the destruction of any public record. 50 ILCS 205/7, 44 Ill.Admin.Code Part 4000 (Local Records Commission for agencies comprising counties of less than 3,000,000 inhabitants); 44 Ill.Admin.Code Part 4500 (Local Records Commission of Cook County). See the Archives Department on the Secretary of State’s website.</p>

Actor	Action
	<p>A list can be used when applying for authority to destroy records. A schedule can be used when applying for continuing authority to destroy records after specified periods of time or the occurrence of specified events.</p> <p><u>The School Code</u> and other statutes (e.g., statutes of limitations) contain mandatory retention timelines. The Board’s attorney should be consulted.</p> <p>The e-discovery rules provide a safe harbor for parties during a lawsuit that cannot provide information because it was destroyed as a result of routine practices.</p> <p>Determine whether each sub-category of documents should be reproduced by photography, microphotographic processes, or digitized electronic format.</p> <p>If a record is reproduced in accordance with standards published by the Local Records Commission, the original may be destroyed. The reproduction’s destruction must be according to the approved record retention schedule.</p> <p><b>3. Develop protocols to implement a litigation hold.</b></p> <p>Understand what a <i>litigation hold</i> is.</p> <p>A litigation hold refers to the notification made by the Board’s attorney telling the District to preserve all information that may be relevant to current or anticipated litigation. While it may occur anytime in the legal process, it will usually occur during discovery, the pretrial phase of a lawsuit designed to compel the exchange of information between parties. A litigation hold triggers the need to immediately suspend destruction of electronic and other records relevant to the current or potential claim.</p> <p>Specify how to implement a litigation hold, i.e.:</p> <ul style="list-style-type: none"> <li>• Who can trigger a litigation hold?</li> <li>• How is a litigation hold communicated?</li> <li>• Who should gather the records?</li> <li>• What records are subject to a litigation hold and who determines this?</li> <li>• In what format should records be gathered?</li> <li>• Where should records be gathered?</li> </ul> <p>Identify how to implement a litigation hold for all IT systems, including backup tapes, to ensure they are not deleted or overwritten as part of the normal tape rotation process.</p> <p>Prepare a map of potentially relevant data and otherwise assist the Board’s attorneys in locating all potentially relevant information.</p>
Superintendent	<p>Submit new or revised record retention and destruction lists and schedules to the Local Records Commission for approval.</p> <p>Disseminate the record retention and destruction schedule, along with instructions,</p>

<b>Actor</b>	<b>Action</b>
	to all affected staff members and School Board members.  Immediately inform the Records Custodian and Head of IT whenever a record must be preserved because: (1) it may be relevant to present or future litigation, or (2) the Board attorney has notified the District to preserve a record, including electronic information ( <i>litigation hold</i> ).

LEGAL REF.: Federal Rules of Civil Procedure, Rules 16 and 26.  
5 ILCS 140/1 et seq., Freedom of Information Act.  
50 ILCS 205/1 et seq., Local Records Act.  
105 ILCS 10/1 et seq., IL School Student Records Act.  
820 ILCS 40/1 et seq., IL Personnel Record Review Act.

**Revised: March 2007**

## School Board

### **Exhibit - Written Request for District Records**

All requests to inspect and/or to obtain a copy of District records must be made in writing. Please submit the following completed request to the Superintendent.

Name of Individual(s) Requesting District Records	Organization
Address	Telephone Number
City	State
Zip	Date of Request

**Staff Instructions:**

1. If this request was received in another form, attach the document to this completed form.
2. Calculate copy fee. Records must be approved for release and any copy fees paid in advance of duplication.
3. Submit to Superintendent

<b>Record Description</b> <i>(Please be specific)</i>	Copy Requested	Copy Fee *	To be mailed	To be picked up
1.				
2.				
3.				
Total Fee:				

### School Board

#### **Exhibit - Response to Request for District Record Inspection**

*The Superintendent or designee completes and sends to the individual making the request.*

_____		_____
Name of Individual(s) Requesting District Records		Organization
_____		_____
Address		Telephone Number
_____	_____	_____
City	State	Zip

#### **Superintendent's Response to Record Request**

After carefully reviewing your request to inspect or receive a copy of a District record, I have made a determination as indicated by the box(es) checked below.

_____	_____
Superintendent or Designee	Date

**Approved.** The following records are available for inspection at the District office on \_\_\_\_\_.  
(Date)

Copies, if previously requested, are also available on that date, provided the copy fee is paid. Please contact the District office to arrange for these records to be mailed to you.

Record Description	Copy fee (if applicable)
1. _____	_____
2. _____	_____
3. _____	_____

**Pending.** An additional 7 working days is required to determine a response for the reasons listed below.

Record Description	Reason (circled)
1. _____	A B C D E F G
2. _____	A B C D E F G
3. _____	A B C D E F G

A. The requested records are stored entirely or partially at other locations than the office having charge of the requested records.

- B. The request requires the collection of a substantial number of specified records.
- C. The request is couched in categorical terms and requires an extensive search in order to be responsive to it.
- D. The requested records have not been located and additional efforts are being made to find them.
- E. The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under the Illinois Freedom of Information Act or should be revealed only with appropriate deletions.
- F. The request for records cannot be complied with by the District within the time limits prescribed without unduly burdening or interfering with its operations.
- G. There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body, having a substantial interest in the determination or in the subject matter of the request.

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**Denied.** The following records are exempt from disclosure under the following provision(s) in the Freedom of Information Act:

<b>Record Description</b>	<b>Provision</b>
1. _____	5 ILCS 140/7 _____
2. _____	5 ILCS 140/7 _____
3. _____	5 ILCS 140/7 _____

You have the right to appeal a denial of a record request to the School Board President. You should send or deliver an appeal notice to the District's main office.

**School Board**

**Exhibit - Inspection Report for District Records**

*Superintendent or designee completes at time of inspection.*

\_\_\_\_\_  
Name of Individual(s) Requesting District Records

\_\_\_\_\_  
Organization

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
City

State

\_\_\_\_\_  
Zip

*To be completed by the staff member present at the requested record inspection or who provided requested copies.*

- The individual(s) listed above has completed/or picked up requested copies at the District's main office.
- Amount of copy fees paid \$\_\_\_\_\_.
- Copies were mailed to the above listed address.

\_\_\_\_\_  
Staff Member Present at Inspection or Who Provided Copies

\_\_\_\_\_  
Date of Inspection and/or Copies  
Provided or Mailed

## **School Board**

### **Uniform Grievance Procedure**

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

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. Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.;
5. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.;
6. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.;
7. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972);
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; or
13. Illinois Whistleblower Act, 740 ILCS 174/1 et 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 may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, "school business days" means days on which the District's main office is open.

### **Filing a Complaint**

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. 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, 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 or 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 Superintendent. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Superintendent, the written report shall be filed with the Board, which will make a decision in accordance with Section 3 of this policy. The Superintendent will keep the Board informed of all complaints.

Decision and Appeal

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

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

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

Appointing Complaint Managers

The Superintendent shall appoint at least 2 Complaint Managers, one of each gender. The District’s Nondiscrimination Coordinator, if any, may be appointed a Complaint Manager. The Superintendent shall insert into this policy the names, addresses, and telephone numbers of current Complaint Managers.

**Complaint Managers:**

<u>Aplington Principal</u>	<u>Centennial Principal</u>
Name	Name
610 E Mason St	308 W Pleasant St
Address	Address
Polo, IL 61064	Polo, IL 61064
815-946-2519	815-946-3811
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 Pay Act, 29 U.S.C. §206(d).  
 Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.  
 Individuals With Disabilities Education Act, 20 U.S.C. §1400 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.  
Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e 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, and 45/1-15.  
Illinois Whistleblower Act, 740 ILCS 174/1 et seq.  
775 ILCS 5/1-101.  
Victims' Economic Security and Safety Act, 820 ILCS 180, 56 Ill.Admin.Code Part 280.  
Equal Pay Act of 2003, 820 ILCS 112.  
23 Ill.Admin.Code §§1.240 and 200-40.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Sexual Harassment), 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)

## **General Personnel**

### **Administrative Procedure - Guidelines for Investigating Complaints and Allegations of Misconduct**

As a general rule, all complaints should be investigated, even when the complainant requests that nothing be done or is anonymous.

#### **Step 1: Before the Investigation**

- A. According to policy 2:260, *Uniform Grievance Procedure*, the Superintendent appoints at least two Complaint Managers, one of each gender. The District Complaint Manager investigates: (1) complaints filed under policy 2:260, *Uniform Grievance Procedure*, and (2) allegations of employee misconduct.
- B. The appropriate Building Principal or designee investigates all allegations of student misconduct.
- C. Anyone with a complaint or making an allegation of misconduct should be referred to the Complaint Manager or Building Principal without delay.
- D. A Complaint Manager or Building Principal (hereafter referred to as “investigator”) will investigate all complaints or allegations of misconduct, except that, depending on the circumstances, the Superintendent may appoint a special investigator. An investigator should not have any involvement with the complainant or the alleged wrongdoer. The Superintendent will ensure that investigators have sufficient authority and resources, including access to the Board Attorney.
- E. The investigator should provide a fair opportunity for both sides to be heard.
- F. The investigator should begin by carefully reading the complaint. Next the investigator should review applicable School Board policies, administrative procedures and manuals, laws, regulations, and collective bargaining agreements.
- G. The investigator should develop a plan, including:
  - Witness list
  - Order of interviews
  - Questions for witnesses
  - Physical evidence needed, e.g., records, documents, reports, photos, and letters
- H. The investigator should make logistical arrangements, e.g., determine interview location and the need for photographs and/or a video or audio recording.

#### **Step 2: The Investigation**

- A. Typically, interview the complainant first, next the subject of the investigation, and, finally, all witnesses. The following applies to all interviews:

- If possible, statements should be written, dated, and signed by the person being interviewed.
  - Ask open-ended questions and do not suggest answers to questions.
  - Record important details, essentially who, did what, to whom, when and how done and, if appropriate, why?
  - Be objective and nonjudgmental; do not prejudge an alleged wrongdoer's guilt. Never show outrage or dismay.
  - Ask for the names of any other witnesses.
  - Deal with emotional outbursts and anger by patiently explaining that details are needed for an accurate investigation.
  - If a witness cannot be interviewed, record the reason.
- B. While confidentiality should be maintained, do not make promises of confidentiality or anonymity. Only the Superintendent may promise confidentiality or anonymity.
- C. Keep the Superintendent informed, but do not discuss the investigation with Board members in order to avoid the appearance of prejudice or unfairness.
- D. Obtain copies of all necessary papers. Originals are not needed, but record how to get them.
- E. Collect physical evidence and photographs. Keep a record of when, and where, or from whom physical evidence was gathered.
- F. Document everything about the interview, including the person's demeanor, gestures, accuracy of memory, and overall credibility.
- G. During the investigation, keep the investigation file separate from personnel or student record files. In a subsequent hearing, the opposing side may be able to view the investigation file.

**Step 3: Following the Investigation**

- A. Report to the Superintendent or designee the investigation results, that is, the matters investigated, facts, conclusions, and recommendations. Prepare a written report if requested.
- Answer who, what, when, where, why, and how.
  - Factual findings are based on whether an incident's occurrence is more likely than not. Identify as many factual findings as possible to support a conclusion. In a "he said, she said" scenario, a decision can be based on the credibility of the parties and witnesses. Include in the report any findings that are inconclusive.
  - Make a determination regarding credibility of specific evidence, that is, how believable is it and why. Credible evidence is capable of belief by a reasonable person.
- B. Be prepared to testify as to the fairness of the investigation, the authenticity of the evidence, and the contents of the investigation report.

## **School Board**

### **Membership in Association**

The Polo Board of Education shall maintain membership in the Illinois Association of School Boards and the Illinois Association of School Administrators.