

ATTACHMENT NO. VIII-E: First Reading of Policies

Potential motion: Move to approve changes to Board Policies 4:140, 5:30, 5:280, 6:130, 7:90, 7:150, 7:325, and 8:80 pending final approval on November 22, 2010.

Recommended action: Approve the motion.

On October 18, 2010, the Policy Committee reviewed the following policies to be amended pursuant to IASB PRESS recommendations:

- 4:140, Waiver of Student Fees
- 5:30, Hiring Process and Criteria
- 5:280, Duties and Qualifications
- 6:130, Program for the Gifted
- 7:90, Release During School Hours
- 7:150, Agency and Police Interviews
- 7:325, Student Fund-Raising Activities
- 8:80, Gifts to the District

The Policy Committee recommends approval of the suggested changes to the above policies, which will be brought back to the November 22 Board meeting for final approval.

Operational Services

Waiver of Student Fees

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

Academic Fees

Fees for textbooks, other instructional materials, and the classroom portion of driver's education are waived for students who meet the eligibility criteria for *a fee waiver contained as described* in this policy. In order that no student is denied educational services or academic credit due to the inability of parent(s)/guardian(s) to pay *student* fees ~~and charges~~, the Superintendent will recommend to the Board ~~for adoption what~~ *which* additional fees, if any, the District will waive for students who meet the eligibility criteria for fee waiver. Students receiving a fee waiver are not exempt from charges for lost and damaged books, locks, materials, supplies and equipment.

Non-Academic Fees

Fees for extra-curricular activities, behind the wheel portion of driver's education, parking permits, schedule changes and yearbooks will not be waived. These fees must be paid in full prior to participation in extra-curricular activities, behind the wheel driving, receipt of the parking permit, schedule change or yearbook.

Notification

The Superintendent shall ensure that applications for fee waivers are widely available and distributed according to state law and ISBE rule and that provisions for assisting parents/guardians complete the application are available.

Eligibility Criteria

A student shall be eligible for a fee waiver when ~~the~~ student currently lives in a household that meets the ~~free lunch or breakfast eligibility~~ *same income* guidelines, ~~established by~~ *with the same limits based on household size, that are used for the federal free meals program* ~~government pursuant to the National School Lunch Act, 42 U.S.C. §1758; 7 C.F.R. Part 245 et seq.; or~~

- ~~1. The student or student's family is currently receiving aid under Article IV of The Illinois Public Aid Code (Aid to Families with Dependent Children).~~

Verification

~~The Superintendent or designee must follow the verification requirements 7 C.F.R. 245.6a when using the free lunch or breakfast eligibility guidelines pursuant to The National School Lunch Act as the basis for waiver of the student's fee(s).~~

~~When using a District established or other independent verification process, the Superintendent or designee may not require verification more often than every 60 calendar days. The Superintendent or~~

~~designee shall not use any information from any independent verification process to determine free lunch or breakfast eligibility pursuant to The National School Lunch Act.~~

The Superintendent or designee must follow the verification requirements of 7 C.F.R. 245.6a when using the free lunch or breakfast eligibility guidelines pursuant to The National School Lunch Act as the basis for waiver of the student's fee(s).

Applications which have been submitted and/or approved after the first quarter of the school year will only apply to the quarters after the waiver is approved. It will be the responsibility of the parent(s)/guardian(s) to pay all fees for the prior quarters.

Determination and Appeal

~~The If a student receiving a fee waiver is found to be no longer eligible during the school year, the Superintendent or designee will shall notify the student's parent(s)/guardian(s) and charge the student a prorated amount based upon the number of school days remaining in the school year promptly as to whether the fee waiver request has been granted or denied. The denial of a fee waiver request may be appealed to the Superintendent by submitting the appeal in writing to the Superintendent within 14 days of the denial. The Superintendent or designee shall respond within 14 days of receipt of the appeal. The Superintendent's decision may be appealed to the Board. The decision of the Board is final and binding.~~

Questions regarding the fee waiver request process should be addressed to the District office.

Determination and Appeal

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

LEGAL REF.: 105 ILCS 5/10-20.13, and 5/10-22.25 *and 5/28-19.2.*
23 Ill.Admin.Code §1.245 [*may contain unenforceable provisions*].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services)

ADOPTED: November 6, 2001

AMENDED: December 14, 2009

General Personnel

Hiring Process and Criteria

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunity and minority recruitment. The Superintendent is responsible for recruiting personnel and making hiring recommendations to the School Board. If the Superintendent's recommendation is rejected, the Superintendent must submit another. No individual will be employed who has been convicted of a criminal offense listed in Section 5/21-23a of The School Code. The Superintendent may select personnel for an emergency condition before the School Board's next regular scheduled meeting *or temporary hire*. The employment will be reviewed and may be approved by the Board.

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

Job Descriptions

The Superintendent shall develop and maintain a current, comprehensive job description for each position or job category; however, a provision in a collective bargaining agreement or individual contract will control in the event of a conflict.

Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database (when available) are performed on each applicant as required by State law. The Superintendent or designee shall notify an applicant if the applicant is identified in either database. The Board President will keep a conviction record confidential and share it only with the Superintendent, Regional Superintendent, State Superintendent, State Teacher Certification Board, or any other person necessary to the hiring decision.

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

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in Section 5/21-2a of The School Code or who falsifies, or omits facts from, his or her employment application or other employment documents.

Physical Examinations

New employees must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease, including tuberculosis. All physical fitness examinations and tests for tuberculosis must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, or an advanced, practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations and designated by the school district. The employee must have the physical examination and the tuberculin tests must have been taken by the employee no more than 90 days before submitting evidence of it to the School Board. A form shall be provided for the physical examination.

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorized the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations, if the

examination is job-related and consistent with business necessity. The School Board will pay the expenses of any such examination, as long as it is a physician designated by the school district.

Orientation Program

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

- LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. § 12112, 29 C.F.R. Part 1630.
Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
105 ILCS 5/10-16.7, 5/10-5/10-20.7, 5/10-21.4, 5/10-21.9, 5/21-23a, 5/10-22.34, 5/10-22.34b, 5/22-6.5, and 5/24-1 et seq.
820 ISCS 55/
Duldulao v. St. Mary of Nazareth Hospital, 483 N.E.2d 956 (1st Dist. Ill. 1985), *aff'd in part and remanded* 505 N.E.2d 314 (Ill. 1987).
Kaiser v. Dixon, 468 N.E.2d 822 (2nd Dist. Ill. 1984).
Molitor v. Chicago Title & Trust Co., 59 N.E.2d 695 (1st Dist. Ill. 1945).
- CROSS REF.: 3:50 (Administrative Personnel Other than the Superintendent), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:280 (Education Support Personnel – Duties and Qualifications)
- ADOPTED: November 6, 2001
- AMENDED: December 14, 2009

Educational Support Personnel

Duties and Qualifications

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

Paraprofessionals and Teacher Aides

"Paraprofessionals" and "teacher aides" are noncertificated personnel with instructional duties; the terms are synonymous. Service as a paraprofessional or teacher aide requires a "statement of approval" issued by the Illinois State Board of Education (ISBE), *unless the individual holds certification of at least a bachelor's degree, a professional vocational certificate, is completing an approved clinical experience, and/or is student teaching. However, paraprofessionals who hold a bachelor's degree, professional vocational certificate, are completing an approved experience, and/or are student teaching must also complete ISBE's Form 73-95 (Application for Paraprofessional Approval and file it with the Regional Office of Education.*

A paraprofessional or teacher aide in a targeted assistance program that is paid with federal funds under Title I, Part A, or in a school-wide program that is supported with such funds, shall hold a "statement of approval," issued by the ISBE, for this purpose.

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

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

Non-certificated personnel, including paraprofessionals and teacher aides, may be used:

1. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (e.g., computer, video, and audio, detention and discipline areas, and school-sponsored extracurricular activities),
2. As supervisors, chaperones, or sponsors for non-academic school activities or
3. For non-teaching duties not requiring instructional judgment or student evaluation.

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

Coaches and Athletic Trainers

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership. *All coaches must successfully complete a District-approved coach-training program.* The coach for an extracurricular athletic activity sponsored or sanctioned by the Illinois High School Association (IHSA) at or above the ninth grade level must

have completed the IHSA's educational program and competency testing on preventing abuse of performance-enhancing substances. Regardless of whether the athletic activity is governed by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automatic External Defibrillator user according to rules adopted by the Illinois Department of Health. Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers Practice Act, be an athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law.

Bus Drivers

All school bus drivers must have a valid school bus driver permit. The Superintendent or designee shall inform the Illinois Secretary of State, within 30 days of being informed by a school bus driver, that the bus driver permit holder has been called to active duty. New bus drivers and bus drivers who are returning from a lapse in their employment are subject to the requirements contained in Board policy 5:30, *Hiring Process and Criteria* and Board policy 5:285, *Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers*.

LEGAL REF.: No Child Left Behind of 2001, 20 U.S.C. §6319(c).
34 C.F.R §§200.58 and 200.59.
105 ILCS 5/10-22.34, 5/10-22.34a, 5/10-22.34b and 25/1.5.
625 ILCS 5/6-104 and 5/6-106.1.
23 Ill.Admin.Code §§25.510,25.520.

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

ADOPTED: November 6, 2001

AMENDED: December 14, 2009

Instruction

Program for the Gifted

The Superintendent or designee shall ~~design~~ *implement* an education program for gifted and talented *learners*. ~~students~~ that is responsive to ~~community~~ *student* needs *and is within the budget parameters as set by the Board.* ~~while complying with Section 14A-30 of The School Code in order to qualify for State funding,~~ should such funding become available.

Eligibility to participate in the gifted program shall not be conditioned upon race, religion, sex, disability, or any factor other than the student's identification as gifted or talented *learner*.

In order to allow the School Board to monitor this policy, the Superintendent or designee shall report at least annually on the status of the District's gifted program.

LEGAL REF.: 105 ILCS 5/14A-5 et seq.
23 Ill.Admin.Code Part 227.

ADOPTED: November 6, 2001

AMENDED: December 20, 2005

Students

Release During School Hours

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

Early Dismissal Announcement

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

CROSS REF.: 4:170 (Safety)

ADOPTED: November 6, 2001

AMENDED: November 19, 2007

Students

Agency and Police Interviews

~~A cooperative effort shall be maintained between the officials of the District and law enforcement agencies. It is paramount that the rights of the school, the home, the civil authorities, and other individuals be recognized and administered.~~

~~Law enforcement officials may not remove a student from school property or from a school sponsored trip for interrogative purposes while in attendance at school without the permission of the student's parent(s)/guardian(s) regardless of the student's age. If a law enforcement official has a warrant for the apprehension of a student then the student may be so removed. A student also may be removed from school property or from a school sponsored trip by law enforcement personnel if so requested by a school administrator.~~

~~If an alleged criminal act has been committed on school property, students may be questioned or interviewed by law enforcement personnel with the following stipulations: A) the officer attempts to contact the student's parent(s)/guardian(s) to notify them of their child's actions and B) if the parent(s)/guardian(s) cannot be contacted then a school administrator or designee shall be present with the student and law enforcement personnel. The administrator or designee upon completion of the interview or questioning shall notify the student's parent(s)/guardian(s) of the contact. The administrator or designee is not obliged to reveal the contents of the contact; however, they are encouraged to provide said information.~~

~~All requests by agency or police officials to interview a student shall be handled according to procedures developed by the Superintendent.~~

The Superintendent shall manage requests by agency officials or police officers to interview students at school through procedures that: (1) recognize individual student rights and privacy, (2) minimize potential disruption, (3) foster a cooperative relationship with public agencies and law enforcement, and (4) comply with state law.

LEGAL REF.: *55 ILCS 80/, Children's Advocacy Center Act.*
325 ILCS 5/1 et seq., Abused and Neglected Child Reporting Act.
~~705 ILCS 80/1 et seq.~~
720 ILCS 5/31-1 et seq., Interference with Public Officers Act.
725 ILCS 120/, Rights of Crime Victims and Witnesses Act.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Discipline)

ADOPTED: November 6, 2001

Students

Student Fund-Raising Activities

Only the following organizations may solicit students on school grounds during school hours or during any school activity to engage in fund-raising activities:

1. School-sponsored student organizations,
2. Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs*,
3. Or as designated by the Superintendent

The Superintendent's implementing procedures shall provide that:

1. Fund-raising efforts shall not conflict with instructional activities or programs.
2. Fund-raising efforts must be voluntary.
3. Student safety is paramount and door-to-door solicitations are prohibited.
4. For School-sponsored student organizations, a school staff member must supervise the fund-raising activities and the student activity funds treasurer must safeguard the financial accounts.
5. The fund-raising efforts must be to support the organization's purposes and/or activities, the general welfare, a charitable cause, or the educational experiences of students generally.
6. The funds shall be used to the maximum extent possible for the designated purpose.
7. *Any fund-raising efforts that solicit donor messages for incorporation into school property (e.g., tiles or bricks) or placement upon school property (e.g., posters or placards) must:*
 - a. *Develop viewpoint neutral guidelines for the creation of messages;*
 - b. *Inform potential donors that all messages are subject to review and approval, and that messages that do not meet the established guidelines must be resubmitted or the donation will be returned; and*
 - c. *Place a disclaimer on all fundraising information and near the completed donor messages that all messages are "solely the expression of the individual donors and not an endorsement of any message's content by the District."*

LEGAL REF.: 105 ILCS 5/10-20.19(3).

CROSS REF.: 4:90 (Student Activity Fund Management), 8:80 (*Gifts to the District*), 8:90 (Parent Organizations and Booster Clubs)

ADOPTED: November 6, 2001

AMENDED: June 21, 2005

Community Relations

Gifts to the District

The Board of Education accepts gifts from any education foundation or other entity or individual, provided the gift can be used in a manner compatible with the Board's educational objectives and policies. While the Board encourages unrestricted gifts, donations to fund specific projects are acceptable if the project is approved by the Board. *The Superintendent shall develop procedures for review and approval of donations that involve incorporating messages into or placing messages upon school property.* All gifts received become the School District's property.

LEGAL REF.: 105 ILCS 5/16-1.

ADOPTED: November 6, 2001