

Document Status: Draft Update

BOARD OF EDUCATION

2:40 Board Member Qualifications

Reasons making an individual ineligible for Board membership include holding an incompatible office, ~~and~~ certain types of State or federal employment, and conviction of an infamous crime. [PRESSPlus1](#) A child sex offender, as defined in State law, is ineligible for Board of Education membership. On the date of election or appointment, Board members must also meet the following residential requirement(s): be a citizen of the United States, be 18 years of age or over, have been a resident of the State of Illinois and the District for at least one year immediately preceding the election, be a resident of the sub-district from which the candidate seeks election, and be a registered voter as provided in the general election laws of the State of Illinois.

The Board will annually appoint a student member-representative to serve in an advisory capacity. The student member-representative will not have any voting privileges and may not attend executive sessions of the Board.

LEGAL REF.:

[Ill. Constitution, Art. II](#), §1; [Art. IV](#), §2(e); [Art. VI](#), §13(b).

[105 ILCS 5/10-3](#) and [5/10-10](#).

CROSS REF.: 2:30 (~~Board of Education~~ [School District](#) Elections), 2:70 (Vacancies on the Board of Education - Filling Vacancies)

[ADOPTED: August 5, 2024](#)

PRESSPlus Comments

[PRESSPlus 1](#). Updated for continuous improvement. Individuals who have been or are convicted of an infamous crime are ineligible for board membership. 105 ILCS 5/10-11. Examples of an infamous crime include, not are not limited to, any felony, bribery, and perjury. Consult with the board attorney regarding other possible infamous crimes. **Issue 114, March 2024**

Document Status: Draft Update - Rewritten

2:70-E Exhibit - Checklist for Filling Board Vacancies by Appointment

The Board of Education fills a vacancy by either appointment or election. The Board uses this checklist for guidance when it must fill a vacancy by appointment. Some items contain guidelines along with explanations. For more information, see *Answers to FAQs: Vacancies on the Board of Education*, published by a committee of the Ill. Council of School Attorneys (ICSA), and available at: www.iasb.com/law/vacancies.cfm. [PRESSPlus1](#)

Confirm that the Board must fill the vacancy by appointment.

Guidelines	Explanation
Review Board policy 2:70, <i>Vacancies on the School Board - Filling Vacancies</i> , to determine if a vacancy on the Board occurred and, if so, whether the successor will be selected by election or Board appointment. Consult the Board Attorney as needed.	Filling a vacancy by Board appointment or election depends upon when the vacancy occurred. If a vacancy occurs with less than: (1) 868 days remaining in the term of office, or (2) 88 days before the next regularly scheduled election for the vacant office, no election to fill the vacancy is held and the appointee serves the remainder of the term. At all other times, an appointee serves until the next regular school election, at which election a successor is elected to serve the remainder of the unexpired term. See 105 ILCS 5/10-10.
In the event a seat on the board goes unfilled at an election, consult the Board Attorney to determine (1) how long the seat can be <i>held over</i> by the incumbent member, and (2) the process by which the Board will fill the seat.	The School Code partially addresses the concept of a <i>holdover seat</i> ; it states “no elective office...becomes vacant until the successor of the incumbent of such office has been appointed or elected, as the case may be, and qualified.” 105 ILCS 5/10-11.

Notify the Regional Superintendent of the vacancy within five days of its occurrence (105 ILCS 5/10-10).

Develop a list of qualifications for appointment of a person to fill the vacancy.

Guidelines	Explanation
At a minimum, a candidate must meet the following qualifications: <ul style="list-style-type: none"> • Be a United States citizen • Be at least 18 years of age 	

<ul style="list-style-type: none"> • Be a resident of Illinois and District for at least one year immediately preceding the appointment • Be a registered voter • Not be a child sex offender • Not hold an incompatible public office • Not have a prohibited interest in any contract with the District • Not be a school trustee • Not hold certain types of prohibited State or federal employment 	<p>While the School Code does not expressly set forth eligibility requirements for appointment to a Board vacancy, the Board may want to use the qualifications for elected Board members listed in 105 ILCS 5/10-3 and 5/10-10.</p> <p>For guidance discussing other qualifications that the Board may want to consider, see IASB’s <i>Recruiting School Board Candidates</i>, available at: www.iasb.com/training/recruiting.cfm</p> <p>For guidance regarding conflict of interest and incompatible offices, see <i>Answers to FAQs Regarding Conflict of Interest and Incompatible Offices</i> (ICSA), available at: www.iasb.com/IASB/media/Documents/COI_FAQ.pdf.</p>
<p>When additional qualifications apply, the following items may be included in the Board’s list of qualifications:</p> <ul style="list-style-type: none"> • Meet all qualifications based upon the distribution of population among congressional townships in the district. • Meet all qualifications based upon the distribution of population among incorporated and unincorporated areas. 	<p>Board members of some community unit school districts may be subject to historical residential qualifications based on the distribution of population among congressional townships in the district or between the district’s incorporated and unincorporated areas. 105 ILCS 5/10-11.</p> <p>Note: If a vacancy for an area of residence remains unfilled, a board must submit a proposition at the next general election for the election of a board member at large. 105 ILCS 5/10-10.5(c).</p>

Decide who will receive completed vacancy applications.

Guidelines	Explanation
The Board President will	

<p>accept applications.</p> <p>The Board will discuss, at an open meeting, its process to review the applications and who will contact applicants for an interview.</p>	<p>Who accepts vacancy applications is at the Board's sole discretion. According to Board policy 2:110, <i>Qualifications, Term, and Duties of Board Officers</i>, the Board President is a logical officer to accept the applications, but this task may be delegated to the Secretary or Superintendent's secretary if the Board determines that it is more convenient. Who accepts the applications must be decided prior to posting the vacancy announcement.</p>
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Create the Board member vacancy announcement.

Announcement	Explanation
<p>School District _____ Board Member Vacancy</p> <p>The School District is accepting applications to fill the vacancy resulting from [reason for vacancy] of [former Board member's name].</p>	<p>The contents of a vacancy announcement, how it is announced, and where it is posted are at the Board's sole discretion.</p> <p>The Board may want to announce the vacancy and its intent to fill it by appointment during an open meeting. The announcement may be posted on the District's website and in the local newspaper(s).</p>
<p>The individual selected will serve on the School Board from the date of appointment to [date].</p>	<p>The length of the appointment depends upon when during the term of office the vacancy occurred. See 105 ILCS 5/10-10 and Board policy 2:70, <i>Vacancies on the School Board - Filling Vacancies</i>, to determine the length of the appointment.</p>
<p>The School District [School District's philosophy or mission statement].</p>	<p>See Board policy 1:30, <i>School District Philosophy</i>, for the District's mission statement that is specific to the community's goals.</p>
<p>Applicants for the Board vacancy must be: [Board's list of qualifications].</p>	<p>See checklist item titled <i>Develop a list of qualifications for appointment of a person to fill the vacancy above</i>.</p>
<p>Applicants should show familiarity with the Board's policies regarding general duties and responsibilities of a Board and a Board member, including fiduciary responsibilities, conflict of interest, ethics and gift ban. The Board's policies are available at [locations].</p>	<p>Listing this along with the Board's list of qualifications assists candidates in understanding a Board member's duties and responsibilities and may facilitate a better conversation during the interview process. See Board policies: 2:20, <i>Powers and Duties of the School Board; Indemnification</i>; 2:80, <i>Board Member Oath and Conduct</i>; 2:100, <i>Board Member Conflict of Interest</i>; 2:105 <i>Ethics and Gift Ban</i>; and 2:120, <i>Board Member Development</i>.</p>
<p>Applications may be obtained at [location and address and/or website] beginning on [date and time].</p> <p>Completed applications may be</p>	<p>See action item titled <i>Decide who will receive completed vacancy applications above</i>.</p>

turned in by <i>[time and date]</i> to <i>[name and title of person receiving applications]</i> .	
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- Publicize the vacancy announcement by placing it on the District’s website, announcing it at a meeting, and/or advertising it in the local newspaper(s).**
- Accept and review applications from prospective candidates (see Decide who will receive completed vacancy applications above).**
- Contact appropriate applicants for interviews (see Decide who will receive completed vacancy applications above).**
- Develop interview questions.**

Interview Questions	Explanation
Why do you want to be a Board member? What specific skills would you bring to the Board? Please give specific examples of your ability in interpersonal relationships and teamwork. What do you see as the role of a Board member? What have you done to prepare yourself for the challenges of being a Board member? Please describe your previous community or nonprofit experiences. What areas in the district would you like to see the Board strengthen?	<p>Interview questions are at the Board’s sole discretion. This list is not exhaustive, but it may help the Board tailor its questions toward finding a candidate who will approach Board membership with a clear understanding of its demands and expectations along with a constructive attitude toward the challenge. The Board may also want to consider allowing an equal amount of time for each interview.</p> <p>See IASB’s Recruiting School Board Candidates, available at: www.iasb.com/training/recruiting.cfm</p> <p>A prospective candidate to fill a vacancy may raise other specific issues that the Board will want to cover during an interview.</p>

<p>What is your availability to meet the time, training commitments, and other responsibilities required for Board membership?</p> <p>Describe what legacy you would like to leave behind.</p>	
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Conduct interviews with candidates (interviews may occur in closed session pursuant to 5 ILCS 120/2(c)(3)).

Interview Plan	Explanation
<p>In each interview, the Board President will:</p> <p>Introduce Board members to the candidate at the beginning of the interview.</p> <p>Describe the Board’s interview process, selection process, and ask the candidate if he or she has questions about the Board’s process for filling a vacancy by appointment.</p> <p>Describe the District’s philosophy or mission statement.</p> <p>Describe the vacancy for the candidate by reviewing the: (1) qualifications, and (2) general duties and responsibilities of the Board and the Board members, including fiduciary responsibilities, conflict of interest, ethics and gift ban, and general Board member development.</p> <p>Begin asking the interview questions that the Board developed.</p> <p>Ask the candidate whether he or she has any questions for the Board.</p> <p>Thank the candidate and inform the candidate when the Board expects to make a decision and how the candidate will be contacted regarding the Board’s decision.</p>	<p>The Board President will lead the Board as it interviews prospective candidates. See Board policy 2:110, <i>Qualifications, Term, and Duties of Board Officers</i>. The president presides at all meetings. 105 ILCS 5/10-13.</p> <p>The Board may also want to consider allowing an equal amount of time for each interview.</p>

Fill vacancy by a vote during an open meeting of the Board before the 60th day (105 ILCS 5/10-10).

Assist the appointed Board member in filing his or her statement of economic interest (5 ILCS 420/4A-105(c)).

Announce the appointment to District staff and community.

Announcement	Explanation
<p>The Board appointed [<i>appointee's name</i>] to fill the vacancy on the Board.</p> <p>The appointment will be from [<i>date</i>] to [<i>date</i>].</p> <p>The Board previously established qualifications for the appointee in a careful and thoughtful manner. [<i>Appointee's name</i>] meets these qualifications and has demonstrated the willingness to accept the duties and responsibilities of a Board member. [<i>Appointee's name</i>] brings a clear understanding of the demands and expectations of being a Board member along with a constructive attitude toward the challenge.</p>	<p>The contents of the appointment announcement and length of time it is displayed are at the Board's sole discretion. The Board may want to consider announcing the appointment during its meeting and also by posting it in the same places that it posted the vacancy announcement.</p> <p>See Board policy 8:10, <i>Connection with the Community</i>.</p>

Administer the Oath of Office and begin orientation.

Guidelines	Explanation
<p>See Board policy 2:80, <i>Board Member Oath and Conduct</i>.</p>	<p>Each individual, before taking his or her seat on the Board, must take an oath in substantially the form given in 105 ILCS 5/10-16.5.</p>
<p>See Board policy 2:120, <i>Board Member Development</i>, and exhibit 2:120-E1, <i>Guidelines for Serving as a Mentor to a New School Board Member</i>.</p>	<p>Orientation assists new Board members to learn, understand, and practice effective governance principles. See the IASB Foundational Principles of Effective Governance, available at: www.iasb.com/principles_popup.cfm.</p>

Inform IASB of the newly appointed Board member's name and directory information.

PRESSPlus Comments

PRESSPlus 1. This Board exhibit is **Rewritten** for PRESS Plus Issue 115. Minor updates were made to the **PRESS** sample in response to a five-year review. A redlined version showing the changes made is available at **PRESS** Online by logging in at www.iasb.com. **Issue 115, June 2024**

Document Status: Draft Update

BOARD OF EDUCATION

2:125 Board Member Compensation; Expenses

Board Member Compensation Prohibited

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

Roll Call Vote

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

Regulation of School District Expenses

The Board regulates the reimbursement of all travel, meal, and lodging expenses in the District by resolution. No later than approval of the annual budget and when necessary, the Superintendent will recommend a maximum allowable reimbursement amount for expenses to be included in the resolution. The recommended amount should be based upon the District's budget and other financial considerations.

Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the Board member, (2) anyone's personal expenses, or (3) entertainment expenses. Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event.

Exceeding the Maximum Allowable Reimbursement Amount(s)

All requests for expense advancements, reimbursements, and/or purchase orders that exceed the maximum allowable reimbursement amount set by the Board may only be approved by it when:

1. The Board's resolution to regulate expenses allows for such approval;
2. An emergency or other extraordinary circumstance exists; and
3. The request is approved by a roll call vote at an open Board meeting.

Advancements

The Board may advance to its members actual and necessary expenses to be 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 Board of Education association complying with [Article 23 of the School Code](#); and
3. Meetings sponsored by a national organization in the field of public school education.

Expense advancement requests must be submitted to the Superintendent or designee on the Board's standardized estimated expense approval form. After spending expense advancements, Board members must use the Board's standardized expense reimbursement form and submit to the Superintendent: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. A Board member must return to the District any portion of an expense advancement not used. If an expense advancement is not requested, expense reimbursements may be issued by the Board to its members for the activities listed in numbers one through three, above, along with registration fees or tuition for a course(s) that allowed compliance with the mandatory trainings described in policy 2:120, *Board Member Development* and other professional development opportunities that are encouraged by the School Code and other training provided by one of the entities described in the above list (see the **Reimbursements and Purchase Orders** subhead, below). Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursement is not guaranteed and, when possible, Board members should seek pre-approval of expenses by providing an estimation of expenses on the Board's standardized estimated expense approval form, except in situations when the expense is diminutive. When pre-approval is not sought, Board members must seek reimbursement on the Board's standardized expense reimbursement form. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Credit and Procurement Cards

Credit and procurement cards shall not be issued to Board members.

Standardized Expense Form(s) Required

All requests for expense advancement, reimbursement, and/or purchase orders in the District must be submitted on the appropriate itemized, signed standardized form(s). The form(s) must show the following information:

1. The amount of the estimated or actual expense, with attached receipts for actual incurred expenses.
2. The name and office of the Board member who is requesting the expense advancement or reimbursement. Receipts from group functions must include the names, offices, and job titles of all participants.
3. The date(s) of the official business on which the expense advancement or reimbursement will be or was expended.
4. The nature of the official business conducted when the expense advancement or reimbursement will be or was expended.

Types of Official Business for Expense Advancements, Reimbursements, and Purchase Orders

1. Registration. When possible, registration fees will be paid by the District in advance.
2. Travel. The least expensive method of travel will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for:
 - a. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Fees for the first checked bag will be reimbursed. Copies of airline tickets and baggage receipts must be attached to the expense form.
 - b. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
 - c. 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.
 - d. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
 - e. Taxis, airport limousines, ride sharing or other local transportation costs.
3. Meals. Meals charged to the School District will be reimbursed for meal costs and tips ^{PRESSPlus1} up to ~~\$40 per day~~, the approved daily reimbursement rate consistent with the maximum allowable reimbursement amount set by the Board. Tips are included with meal charges. Expense forms must ~~explain the meal~~

~~charges incurred~~ list the days for reimbursement. Alcoholic beverages will not be reimbursed.

4. Lodging. 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 form.
5. 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 form, attaching receipts.

Additional Requirements for Travel Expenses Charged to Federal and State Grants

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

LEGAL REF.:

[105 ILCS 5/10-20](#) and [5/10-22.32](#).

[30 ILCS 708/](#), Government Accountability and Transparency Act.

[50 ILCS 150/](#), Local Government Travel Expense Control Act.

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

ADOPTED: August 5, 2024

PRESSPlus Comments

[PRESSPlus 1](#). The following sentence clarifies that tips are included with meal charges. **Issue 115, June 2024**

Board Member Compensation; Expenses

2:125-E1 Exhibit - Board of Education Travel Approval Form

Name _____ Sub-District _____
Email _____ Date _____
Conference/Meeting Name _____
Conference/Meeting Location _____
Conference/Meeting Date(s) _____
Days Away _____

	S	M	T	W	Th	F	S
a.m.							
p.m.							

Projected Expenses (review instructions on other side and Board Policies 2:125 and 5:60)

- 1. Registration \$ _____
- 2. Transportation _____
- Sharing travel with _____ \$ _____
- Car _____ miles @ \$0.67 per mile \$ _____
- Air / Bus / Train _____
- 3. Hotel _____ nights @ \$ _____ per night \$ _____
- 4. Meals _____ days @ \$~~40~~70 per day (minus conference meals) \$ _____
- 5. Miscellaneous (Parking, Taxi, Luggage) \$ _____
- Total Projected Expenses** \$ _____

Fund/Grant Paying Expenses _____

By signing this form, I acknowledge that cancellations or changes to itinerary communicated to the Board Secretary after cancellations are accepted may require me to reimburse the District for the full amount of registration and other fees.

_____ Initialed

Board Member's Signature* _____ Date _____

Board Secretary's Signature** _____ Date _____

Date of Board Meeting Approval: _____

Copies of receipts are required for reimbursement. Please attach receipts to the reimbursement request form and submit to the Board Secretary within 30 days of travel completion.

DATED: August 5, 2024

Board of Education Travel Reimbursement Form

<Name> has been approved to attend <Conf Name> with a reimbursement not to exceed <amount>, including prepayments made by the District.

Once your travel is completed, follow the directions below to complete and return the claim form to Julie Hammers for reimbursement processing.

Upon return from the conference, use this form to summarize all travel expenses and group functions as outlined Board Policy.

This form must be completed in such a manner that is very clear to auditors where, when, and how money was spent. If you have any questions, please contact the Board Secretary.

1. TRANSPORTATION EXPENSES

- Complete each line that is applicable to your claim only.
- The current IRS reimbursement rate for mileage will be followed.
- Air/train/bus will be reimbursed after travel and paid at a pre-approved rate; one checked bag with receipt only.

2. HOTEL EXPENSES

- SPS reimburses at the conference or federal rate. Hotel expenses are not paid for local area meetings.

3. MEAL EXPENSES

- Meal reimbursements are paid on a per diem rate up to ~~\$40-70~~ per day for full day out of town travel, **excluding** any conference meals included with registration. Deductions for included meals are as follows: ~~\$10-20~~ breakfast, ~~\$10-20~~ lunch, ~~\$20-30~~ dinner. A full day consists of leaving before 7:30 a.m. and returning after 5:30 p.m. Receipts are not needed for conference travel.
- Single day events or local conferences/meetings will only include a lunch reimbursement of ~~\$10-20~~. No lunch reimbursement if meal is provided.

4. GROUP FUNCTIONS

- Per Board Policy 2:125, reimbursable expenses from group functions "must include the names, offices, and job titles of all participants.

Board Member Compensation; Expenses

2:125-E2 Exhibit - Final Travel Expense Claim Form for Maximum Reimbursement

Complete all tables with as much detailed information as possible, so it is clear to staff and auditors for approvable reimbursement.

Registration Expenses	Cost
District prepaid registration total	
Registration owed as reimbursement to participant	
Transportation	Cost
Air/Train/Bus - circle one and attach itemized receipts	
Auto - Total miles x 67 cents per mile (current IRS per mile reimbursable rate)	
Transportation to/from airport, train station and/or hotel and conference only (receipts required)	
Total Transportation Costs	\$

Hotel	Date of Stay	Cost
Itemized hotel bill required		\$

Meal Expenses - Put an X under each date for a meal purchased that day and leave blank for conference-included meals. Total each date column: \$~~10-20~~ breakfast, \$~~10-20~~ lunch, \$~~20-30~~ dinner.

Date	
Breakfast	
Lunch	
Dinner	
Total	
Total Meal Expenses	\$

Total Reimbursement Requested \$

Total Expenses (include prepaid expenses) **\$**

Group Functions

Did you participate in any group functions, such as meals, for which you are seeking reimbursement? If so, please list the names, offices, and job titles of all participants below. Attach additional sheets if necessary.

Printed Name	Signature	Date of request
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Board Secretary	Signature	Date of request
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DATED: August 5, 2024

Springfield School District 186

Document Status: Draft Update

2:260 Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the Board of Education, its employees, or its agents have violated his or her rights guaranteed by the [State](#) or federal [Constitution](#), State or federal statute, or Board policy, or has ~~ve~~ a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act, [42 U.S.C. §12101](#) et seq.
2. ~~Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., excluding Title IX sexual harassment complaints governed by policy 2:265, Title IX Sexual Harassment Grievance Procedure~~ [PRESSPlus1](#)
3. Section 504 of the Rehabilitation Act of 1973, [29 U.S.C. §791](#) et seq.
4. [Discrimination and/or harassment on the basis of race, color, or national origin prohibited by the Illinois Human Rights Act, 775 ILCS 5/; Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.; and/or Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. \(see Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*\)](#) [PRESSPlus2](#)
5. ~~Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964)~~, 42 U.S.C. §2000e et seq. (see also number 4, above, for discrimination and/or harassment on the basis of race, color, or national origin)
6. Sexual harassment prohibited by the State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a); Illinois Human Rights Act, 775 ILCS 5/; and Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (Title IX sexual harassment complaints are addressed under [Board policy 2:265, Title IX *Sexual Harassment* Grievance Procedure](#))
7. Breastfeeding accommodations for students, [105 ILCS 5/10-20.60](#)
8. Bullying, [105 ILCS 5/27-23.7](#)
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
10. Curriculum, instructional materials, and/or programs
11. Victims' Economic Security and Safety Act, [820 ILCS 180/](#)
12. Illinois Equal Pay Act of 2003, [820 ILCS 112/](#)
13. Provision of services to homeless students
14. Illinois Whistleblower Act, [740 ILCS 174/](#)
15. Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, [410 ILCS 513/](#); and Titles I and II of the Genetic Information Nondiscrimination Act, [42 U.S.C. §2000ff et seq.](#)
16. Employee Credit Privacy Act, [820 ILCS 70/](#)

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this

grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parent(s)/guardian(s)); this includes mediation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, the District will continue with a simultaneous investigation under this policy.

Deadlines

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

Filing a Complaint

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

For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager or designee shall process and review the complaint ~~according to~~ under Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

For any complaint alleging sex discrimination that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Title IX Coordinator or designee [PRESSPlus3](#) shall process and review the complaint under Board policy 2:265, *Title IX Grievance Procedure*.

For any complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall process and review the complaint under Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, in addition to any response required by this policy.

For any complaint alleging sexual harassment or other violation of Board policy 5:20, *Workplace Harassment Prohibited*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall process and review the complaint according to that policy, in addition to any response required by this policy, and shall consider whether an investigation under Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, [PRESSPlus4](#) should be initiated.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. ~~If the Complainant is a student under 18 years~~

of age, the Complaint Manager will notify his or her parents/guardians that they may attend any investigatory meetings in which their child is involved. [PRESSPlus5](#) The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or any collective bargaining agreement, (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, this policy, or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

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

The Superintendent will keep the Board informed of all complaints.

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

Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Superintendent shall mail provide his or her written decision to the Complainant and the accused by registered mail, return receipt requested, and/or personal delivery. [PRESSPlus6](#) as well as to the Complaint Manager. All decisions shall be based upon the *preponderance of evidence* standard.

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

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

For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall mail provide its written decision to the Complainant and the accused, by registered mail, return receipt requested, and/or personal delivery as well as to the Complaint Manager.

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

Appointing a Nondiscrimination Coordinator and Complaint Managers [PRESSPlus7](#)

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

The Superintendent shall appoint a Title IX Coordinator to coordinate the District's efforts to comply with Title IX.

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

The Superintendent shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers. The Superintendent or designee shall ensure that students, parents/guardians, employees, and members of the community are informed of the contact information for the District's Nondiscrimination Coordinator and Complaint Managers on an annual basis.

Nondiscrimination Coordinator:

Gina Schurman, Assistant
Superintendent of Human Resources
Name

3063 Fiat Avenue,
Springfield, IL 62703
Address

gmmac@sps186.org
Email

217-525-3006
Telephone

Complaint Managers/Title IX Coordinators:

Jason Wind, Executive Director
of School Support
Name

Nicole Moody, Assistant Superintendent
of Teaching and Learning
Name

3063 Fiat Avenue,
Springfield, IL 62703
Address

3063 Fiat Avenue,
Springfield, IL 62703
Address

jwind@sps186.org
Email

ngales@sps186.org
Email

217-525-7911
Telephone

217-525-3011
Telephone

LEGAL REF.:

[8 U.S.C. §1324a](#) *et seq.*, Immigration Reform and Control Act.

[20 U.S.C. §1232g](#), Family Education Rights Privacy Act.

[20 U.S.C. §1400](#), The Individuals with Disabilities Education Act.

[20 U.S.C. §1681](#) *et seq.*, Title IX of the Education Amendments; [34 C.F.R. Part 106](#).

[29 U.S.C. §206](#)(d), Equal Pay Act.

[29 U.S.C. §621](#) *et seq.*, Age Discrimination in Employment Act.

[29 U.S.C. §791](#) *et seq.*, Rehabilitation Act of 1973.

[29 U.S.C. §2612](#), Family and Medical Leave Act.

[42 U.S.C. §2000d](#) *et seq.*, Title VI of the Civil Rights Act of 1964.

42 U.S.C. §2000e *et seq.*, [Equal Employment Opportunities Act](#) (Title VII of the Civil Rights Act of 1964).

[42 U.S.C. §2000ff](#) *et seq.*, Genetic Information Nondiscrimination Act.

[42 U.S.C. §11431](#) *et seq.*, McKinney-Vento Homeless Assistance Act.

[42 U.S.C. §12101](#) *et seq.*, Americans With Disabilities Act; [28 C.F.R. Part 35](#).

105 ILCS 5/2-3.8, 5/3-10, 5/10-20, 5/10-20.5, 5/10-20.7a, 5/10-20.60, 5/10-20.69 5/10-20.75 (final citation pending), 5/10-22.5, 5/22-19, [5/22-95 \(final citation pending\)](#), 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.

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

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

[410 ILCS 513/](#), Ill. Genetic Information Privacy Act.

[740 ILCS 174/](#), Whistleblower Act.

[740 ILCS 175/](#), Ill. False Claims Act.

[775 ILCS 5/](#), Ill. Human Rights Act.

[820 ILCS 70/](#), Employee Credit Privacy Act.

820 ILCS 112/, Equal Pay Act of 2003.

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

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

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

[23 Ill.Admin.Code §§1.240](#), [200.40](#), [226.50](#), and [226.570](#).

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX ~~Sexual Harassment~~ Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 6:120 (Education of Children with Disabilities), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), [7:10](#) (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Family Engagement), 8:110 (Public Suggestions and Concerns)

~~ADOPTED: August 5, 2024~~

PRESSPlus Comments

PRESSPlus 1. Updated in response to final regulations implementing Title IX of the Education Amendments of 1972 (Title IX), requiring all Title IX sex discrimination complaints to be processed using policy 2:265, *Title IX Grievance Procedure*. **Issue 116, August 2024**

PRESSPlus 2. Updated in response to 105 ILCS 5/22-95 (final citation pending), added by P.A. 103-472, eff. 8-1-24, requiring a district to have an internal process for the filing of complaints regarding discrimination and harassment based on race, color, and national origin. Policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, utilizes this policy as an internal complaint process. See also sample administrative procedure 2:270-AP, *Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin*, available at PRESS Online by logging in at www.iasb.com, which includes additional procedures to be followed when responding to complaints of discrimination and harassment on the basis of race, color, and national origin. **Issue 114, March 2024**

PRESSPlus 3. "Title IX Coordinator or designee" is used where Title IX is implicated. In contrast, if Title IX is not implicated, "Nondiscrimination Coordinator or a Complaint Manager or designee" is used (see the last paragraph under the [Filing a Complaint](#) subhead). **Issue 116, August 2024**

PRESSPlus 4. See sample administrative procedure 5:120-AP2, *Employee Conduct Standards*, and its exhibit 5:120-AP2, E, *Expectations and Guidelines for Employee-Student Boundaries*, available at PRESS Online by logging in at www.iasb.com. **Issue 116, August 2024**

PRESSPlus 5. This sentence is deleted because it is not legally required and it is not practical for districts to seek parent/guardian attendance at every investigatory meeting involving their child. **Issue 116, August 2024**

PRESSPlus 6. Using a consistent delivery method that allows the district to verify the date of receipt is a best practice, e.g., registered mail, return receipt requested, and/or personal delivery. **Issue 116, August 2024**

PRESSPlus 7. Names and contact information are required by law to be listed, and it is important that they be regularly monitored and updated.

If changes are made to the Nondiscrimination Coordinator, Complaint Manager, and/or Title IX Coordinator information, use the Save Status **Adopted with Additional District Edits**. Best practice is that throughout the board policy manual, the same individual be named as Nondiscrimination Coordinator. The Nondiscrimination and Title IX Coordinator(s) need not be the same person. If the district uses a separate Title IX Coordinator who does not also serve as the Nondiscrimination Coordinator, list the Title IX Coordinator's name and contact information separately. **IASB will use the information provided in policy 2:260 for the Nondiscrimination Coordinator and Title IX Coordinator in policies 5:10, 5:20, 7:20, and 7:180. In addition, IASB will use the Title IX Coordinator information provided in policy 2:260 for policy 2:265.**

Complaint Managers identified in individual policies may vary depending upon local district needs. Ensure that policies 2:260, 5:10, 5:20, 7:20, and 7:180 each contain the correct names and contact information for the district's Complaint Managers.

Issue 116, August 2024

Document Status: Draft Update - Rewritten

2:265 Title IX Grievance Procedure

New/Unpublished Section

Discrimination on the basis of sex, including sex-based harassment, affects a student's ability to learn and an employee's ability to work. [PRESSPlus1](#) Providing an educational and workplace environment free from discrimination on the basis of sex is an important District goal.

The District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106), including against applicants for employment, students, parents/guardians, employees, and third parties. [PRESSPlus2](#)

Title IX Sex Discrimination Prohibited

Sex discrimination as defined in Title IX (Title IX Sex Discrimination) is prohibited. A District employee, agent, or student violates this prohibition whenever that person engages in conduct on the basis of sex that causes another person to be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any education program or activity operated by the District. Title IX Sex Discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

Sex-based harassment is a form of Title IX Sex Discrimination. Sex-based harassment occurs whenever a person engages in conduct on the basis of sex that satisfies one or more of the following:

1. A District employee, agent, or other person authorized by the District to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditions the provision of an aid, benefit, or service on a person's participation in unwelcome sexual conduct; or
2. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 34 C.F.R. §106.2.

Definitions from 34 C.F.R. §106.2 [PRESSPlus3](#)

Complainant means: (1) a student or employee who is alleged to have been subjected to conduct that could constitute Title IX Sex Discrimination; or (2) a person other than a student or employee who is alleged to have been subjected to conduct that could constitute Title IX Sex Discrimination and who was participating or attempting to participate in the District's education program or activity at the time of the alleged Title IX Sex Discrimination. [PRESSPlus4](#)

Complaint means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX.

Respondent means a person who is alleged to have violated the District's prohibition on Title IX Sex Discrimination.

Retaliation means intimidation, threats, coercion, or discrimination against any person by the District, a student, or an employee or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a Complaint, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Making a Report

A person who wishes to make a report under this policy may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, [PRESSPlus5](#) a Complaint Manager, or any employee with whom the person is comfortable speaking.

School employees who receive information about conduct that reasonably may constitute Sex Discrimination under this policy shall promptly forward the report or information to the Title IX Coordinator. An employee who fails to promptly make or forward a report or information may be disciplined, up to and including discharge.

The Superintendent shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX Coordinator. [PRESSPlus6](#)

Title IX Coordinator:

Name

Address

Email

Telephone

Processing and Reviewing a Report or Complaint

Upon receipt of a report of conduct that reasonably may constitute Title IX Sex Discrimination, the Title IX Coordinator and/or designee shall offer and coordinate supportive measures, as appropriate, for a Complainant.

Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it. For any report received, the Title IX Coordinator shall review Board policies 2:260, *Uniform Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 7:10, *Equal Educational Opportunities*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:185, *Teen Dating Violence Prohibited*; and 7:190, *Student Behavior*, to determine if the allegations in the report require further action under those policies.

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

Title IX Complaint Grievance Process

The Superintendent or designee shall implement procedures to ensure the prompt and equitable resolution of all Complaints according to a grievance process that fully complies with 34 C.F.R. §106.45. See the District's Title IX Complaint Grievance Process (Grievance Process) under administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.

When a Complaint is filed, the Title IX Coordinator will investigate it and make a determination regarding the outcome of the Complaint, or appoint a qualified person(s) to undertake the investigation and make a determination regarding the outcome of the Complaint.

Enforcement

Any District employee who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent/guardian, invitee, etc. Any District student who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies. Any person making a knowingly false accusation regarding Title IX Sex Discrimination will likewise be subject to disciplinary action.

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

Retaliation Prohibited

The District prohibits any form of retaliation, including peer retaliation, in its education program or activity. Any person should report claims of retaliation using this Board policy 2:265, *Title IX Grievance Procedure*.

A student, employee, or other person authorized by the District to provide aid, benefit, or service under the District's education program or activity who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.:

20 U.S.C. §1681 *et seq.*, Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:200 (Terms and Conditions of Employment and Dismissal), 5:240 (Suspension), 5:290 (Employment Termination and Suspension), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and

PRESSPlus Comments

PRESSPlus 1. Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. §1681 et seq.) requires this subject matter to be covered by policy and controls this policy's content.

The U.S. Dept. of Education released final regulations implementing Title IX of the Education Amendments of 1972 (Title IX), effective 8-1-24. Compared to the previous Title IX regulations, the new 2024 Title IX regulations:

- Expand the breadth of Title IX grievance procedures to require that they be used to address all Title IX sex discrimination complaints, not just complaints of sexual harassment.
- Clarify that the scope of Title IX sex discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.
- Allow districts the flexibility to use a single investigator/decisionmaker template, so that the same individual who investigates a Title IX complaint may also make a decision regarding the complaint.

See Issue 116 Update Memo and the footnote information in Rewritten PRESS sample policy 2:265, *Title IX Grievance Procedure*, available at PRESS Online by logging in at www.iasb.com, for more information. **Issue 116, August 2024**

PRESSPlus 2. A district must prominently display its Title IX notice of nondiscrimination on its website and in each handbook, catalog, announcement, bulletin, and application form made available to students, applicants for employment, parents/guardians, employees, and collective bargaining units. 34 C.F.R. §106.8(c)(2)(i). The notice must state that nondiscrimination extends to any program or activity operated by the district, including employment; that inquiries about the application of Title IX and its regulations may be referred to the district's Title IX Coordinator, to the U.S. Dept. of Education's Office for Civil Rights, or both; the name or title, office address, email address, and telephone number of the district's Title IX Coordinator; how to locate the district's nondiscrimination policy and grievance procedures; how to report information about conduct that may constitute sex discrimination under Title IX; and how to make a complaint of sex discrimination. 34 C.F.R. §106.8(c)(1)(i). See the Notice of Nondiscrimination subhead of sample administrative procedure 2:265-AP1, *Title IX Response*, for a sample notice of nondiscrimination and nondiscrimination statement meeting the minimum requirements of Title IX regulations. The sample administrative procedure is available at PRESS Online by logging in at www.iasb.com. **Issue 116, August 2024**

PRESSPlus 3. If the district uses sample exhibit 2:265-E, *Title IX Glossary of Terms*, or a similar document, the definitions of these terms within it should match the definitions used in this policy. Sample exhibit 2:265-E is available at PRESS Online by logging in at www.iasb.com. **Issue 116, August 2024**

PRESSPlus 4. The 2024 Title IX regulations shift the focus of the analysis from "whether the participation or attempted participation occurred at the time the complaint was filed" (as required under the 2020 Title IX regulations) to "the time of the alleged sex discrimination." 89 Fed. Reg.

33483. **Issue 116, August 2024**

PRESSPlus 5. If the title(s) Assistant Building Principal and/or Dean of Students do not apply, enter Edit Mode, strike the non-applicable title(s), and save the policy as **Adopted with Additional District Edits.**

Issue 116, August 2024

PRESSPlus 6. Title IX regulations require districts to designate and authorize at least one employee to coordinate its efforts to comply with Title IX and to refer to that employee as the *Title IX Coordinator*. 34 C.F.R. §106.8(a). If a district has more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight to ensure the district's consistent compliance with its responsibilities under Title IX and its implementing regulations. 34 C.F.R. §106.8(a)(1). The Title IX Coordinator with ultimate oversight should be listed in this policy.

Consistent with how Nondiscrimination Coordinators and Complaint Managers are listed in PRESS sample policies, this policy requires the Title IX Coordinator's name, office address, email address, and telephone number to be listed. It is important for updated names and contact information to be inserted into this policy and regularly monitored.

A district's Nondiscrimination Coordinator often also serves as its Title IX Coordinator. See policy 2:260, *Uniform Grievance Procedure*.

IASB will insert the Title IX Coordinator listed in the board's adopted policy 2:260 into policy 2:265. Ensure that the name and contact information listed in policy 2:260, *Uniform Grievance Procedure*, is correct. **Issue 116, August 2024**

Document Status: Draft Update - New

2:270 Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited

New/Unpublished Section

NEW

Discrimination and harassment on the basis of race, color, or national origin [PRESSPlus1](#) negatively affect a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from such discrimination and harassment is an important District goal. The District does not discriminate on the basis of actual or perceived race, color, or national origin in any of its education programs or activities, and it complies with federal and State non-discrimination laws.

Examples of Prohibited Conduct [PRESSPlus2](#)

Examples of conduct that may constitute discrimination on the basis of race, color, or national origin include: disciplining students more harshly and frequently because of their race, color, or national origin; denying students access to high-rigor academic courses, extracurricular activities, or other educational opportunities based on their race, color, or national origin; denying language services or other educational opportunities to English learners; and assigning students special education services based on a student's race, color, or national origin.

Harassment is a form of prohibited discrimination. Examples of conduct that may constitute harassment on the basis of race, color, or national origin include: the use of racial, ethnic or ancestral slurs or stereotypes; taunts; name-calling; offensive or derogatory remarks about a person's actual or perceived race, color, or national origin; the display of racially-offensive symbols; racially-motivated physical threats and attacks; or other hateful conduct.

Making a Report or Complaint; Investigation Process [PRESSPlus3](#)

Individuals are encouraged to promptly report claims or incidences of discrimination or harassment based on race, color, or national origin to the Nondiscrimination Coordinator, a Complaint Manager, or any employee with whom the student is comfortable speaking. Reports under this policy will be processed under Board policy 2:260, *Uniform Grievance Procedure*.

Any District employee who receives a report or complaint of discrimination or harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge.

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

This policy does not impair or otherwise diminish the existing rights of unionized employees to request an exclusive bargaining representative to be present during any investigatory interviews, nor does this policy diminish any rights available under an applicable collective bargaining agreement, including, but not limited to, a grievance procedure.

Federal and State Agencies

If the District fails to take necessary corrective action to stop harassment based on race, color, or national origin, further relief may be available through the Ill. Dept. of Human Rights (IDHR) or the U.S. Dept. of Education's Office for Civil Rights. [PRESSPlus4](#) To contact IDHR, go to: <https://dhr.illinois.gov/about-us/contact-idhr.html> or call (312) 814-6200 (Chicago) or (217) 785-5100 (Springfield).

Prevention and Response Program

The Superintendent or designee shall establish a prevention and response program to respond to complaints of discrimination based on race, color, and national origin, including harassment, and retaliation. The program shall include procedures for responding to complaints which: [PRESSPlus5](#)

1. Reduce or remove, to the extent practicable, barriers to reporting discrimination, harassment, and retaliation;
2. Permit any person who reports or is the victim of an incident of alleged discrimination, harassment, or retaliation to be accompanied when making a report by a support individual of the person's choice who complies with the District's policies and rules;
3. Permit anonymous reporting, except that an anonymous report may not be the sole basis of any disciplinary action;
4. Offer remedial interventions or take such disciplinary action as may be appropriate on a case-by-case basis;
5. Offer, but do not require or unduly influence, a person who reports or is the victim of an incident of harassment or retaliation the option to resolve allegations directly with the accused; and
6. Protects a person who reports or is the victim of an incident of harassment or retaliation from suffering adverse consequences as a result of a report of, investigation of, or a response to the incident.

Policy Posting and Distribution

This policy shall be posted on the District's website. [PRESSPlus6](#) The Superintendent shall annually inform staff members of this policy by posting it in a prominent and accessible location such as the District website, employee handbook, staff intranet site, [PRESSPlus7](#) and/or in other areas where policies and rules of conduct are made available to staff. The Superintendent shall annually inform students and their parents/guardians of this policy by posting it on the District's website [PRESSPlus8](#) and including an age-appropriate summary of the policy in the student handbook(s). [PRESSPlus9](#)

Enforcement

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to remedial action and/or disciplinary action, up to and including discharge.

Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to remedial action and/or disciplinary action, including but not limited to, suspension and expulsion consistent with Board policy 7:190, *Student Behavior*.

Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to remedial and/or disciplinary action.

Retaliation Prohibited

Retaliation against any person for bringing complaints, participating in the complaint process, or otherwise providing information about discrimination or harassment based on race, color, or national origin is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*).

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

LEGAL REF.:

42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.

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

105 ILCS 5/22-95 (final citation pending).

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

PRESSPlus Comments

PRESSPlus 1. This policy is created in response to 105 ILCS 5/22-95 (final citation pending), added by P.A. 103-472, the Racism-Free Schools Law (RFSL). The law requires school districts to have a written policy (or policies) in place by 8-1-24 that prohibit discrimination and harassment based on race, color, and national origin, as well as retaliation. Like other non-discrimination and harassment policies in the PRM, this new policy utilizes the existing complaint process in sample policy 2:260, *Uniform Grievance Procedure*.

The policy must contain the following: (1) descriptions of various forms of discrimination and harassment based on race, color, and national origin, including examples; (2) the district's internal process for filing a complaint regarding a violation of the policy; (3) an overview of the district's prevention and response program that includes procedures for responding to complaints of discrimination and harassment based on race, color, and national origin and retaliation; (4) potential remedies for a violation of the policy; (5) a prohibition on retaliation for making a complaint or participating in the complaint process; (6) the legal recourse available to the Ill. Dept. of Human Rights (IDHR) and federal agencies if a district fails to take corrective action; and (7) directions on how to contact IDHR.

For more information, see the PRESS Issue 114 Update Memo and the footnotes of sample policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, available at PRESS Online by logging in at www.iasb.com. **Issue 114, March 2024**

PRESSPlus 2. Required by 105 ILCS 5/22-95(b)(1)(A) (final citation pending), added by P.A. 103-472, eff. 8-1-24. The examples of discrimination and harassment under this subhead are based on definitions provided by the U.S. Dept. of Education's Office for Civil Rights, see

www2.ed.gov/about/offices/list/ocr/frontpage/faq/race-origin.html#racehar1 and www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-shared-ancestry-202301.pdf, and the U.S. Equal Opportunity Employment Commission, see www.eeoc.gov/racecolor-discrimination. **Issue 114, March 2024**

PRESSPlus 3. Required by 105 ILCS 5/22-95(b)(1)(B) (final citation pending), added by P.A. 103-472, eff. 8-1-24. **Issue 114, March 2024**

PRESSPlus 4. Required by 105 ILCS 5/22-95(b)(1)(F). **Issue 114, March 2024**

PRESSPlus 5. Items 1-6 must be addressed in a district's procedures for responding to complaints of discrimination and harassment based on race, color, and national origin. See sample administrative procedure 2:270-AP, *Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin*, available at PRESS Online by logging in at www.iasb.com. **Issue 114, March 2024**

PRESSPlus 6. 105 ILCS 5/22-95(b)(3) (final citation pending), added by P.A. 103-472, eff. 8-1-24, requires districts to post this policy in their website if one exists. If the district does not maintain a website, strike this sentence, and use the Save Status "Adopted with Additional District Edits." **Issue 114, March 2024**

PRESSPlus 7. 105 ILCS 5/22-95(b)(2) (final citation pending), added by P.A. 103-472, eff. 8-1-24, requires this policy to be "posted in a prominent and accessible location and distributed in such a manner as to ensure notice of the policy to all employees." A district website or staff intranet site qualifies as a prominent and accessible location. If a district does not maintain a website and/or staff intranet, delete ~~District website~~ and/or ~~staff intranet site~~ from this sentence, as applicable, and use the Save Status "Adopted with Additional District Edits." **Issue 114, March 2024**

PRESSPlus 8. If the district does not maintain a website, delete ~~posting it on the District's website~~ and from the sentence, and use the Save Status "Adopted with Additional District Edits." **Issue 114, March 2024**

PRESSPlus 9. 105 ILCS 5/22-95(b)(3) (final citation pending), added by P.A. 103-472, eff. 8-1-24, requires districts to publish the policy in student handbook(s). The law also requires a district to annually distribute a "summary of the policy in accessible, age-appropriate language" to students and parents/guardians. The summary may, but does not have to be, included in a student handbook to satisfy the annual distribution requirement. For ease of administration, this sample policy refers to inclusion in the student handbook(s). Districts may find it cumbersome to include both the policy and an age-appropriate summary of the same policy in a handbook. Consult the board attorney for guidance if the district would like to include a hyperlink to the policy, rather than the full text of the policy in the handbook. The Ill. Principals Association maintains a handbook service that coordinates with PRESS material, Online Model Student Handbook (MSH), at: www.ilprincipals.org/msh. **Issue 114, March 2024**

Document Status: Draft Update

4:70 Resource Conservation

The Superintendent or designee shall manage a program of energy and resource conservation for the District that includes:

1. Periodic review of procurement procedures and specifications to ensure that purchased products and supplies are reusable, durable, or made from recycled materials, if economically and practically feasible.
2. Purchasing recycled paper and paper products in amounts that will, at a minimum, meet the specifications in the School Code, if economically and practically feasible.
3. Periodic review of procedures on the reduction of solid waste generated by academic, administrative, and other institutional functions. These procedures shall: (a) require recycling the District's waste stream, including landscape waste, computer paper, and white office paper, if economically and practically feasible; (b) include investigation of the feasibility of potential markets for other recyclable materials that are present in the District's waste stream; and (c) establish a goal for the be designed to achieve, before July 1, 2020, at least a 50% reduction in the amount of solid waste that is generated by the District, when it is economically and practically feasible to do so. [PRESSPlus1](#)
4. ~~Adherence to e~~Energy conservation measures.

LEGAL REF.:

[105 ILCS 5/10-20.19c](#) and [5/19b](#).

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

~~ADOPTED: August 5, 2024~~

PRESSPlus Comments

PRESSPlus 1. Updated in response to a five-year review. **Issue 115, June 2024**

Document Status: Draft Update

4:190 Targeted School Violence Prevention Program

Threats and acts of targeted school violence harm the District's environment and school community, diminishing students' ability to learn and a school's ability to educate. Providing students and staff with access to a safe and secure District environment is an important Board goal. While it is not possible for the District to completely eliminate threats in its environment, a Targeted School Violence Prevention Program (Program) using the collective efforts of local school officials, staff, students, families, and the community helps the District reduce these risks to its environment.

The Superintendent or designee shall develop and implement the Program. The Program oversees the maintenance of a District environment that is conducive to learning and working by identifying, assessing, classifying, responding to, and managing threats and acts of targeted school violence. The Program shall be part of the District's Comprehensive Safety and Security Plan, required by Board policy 4:170, *Safety*, and shall:

1. Establish a District-level School Violence Prevention Team to: (a) develop a District-level Targeted School Violence Prevention Plan, and (b) oversee the District's Building-level Threat Assessment Team(s).
2. Establish Building-level Threat Assessment Team(s) to assess and intervene with individuals whose behavior may pose a threat to safety. This team may serve one or more schools.
3. Require all District staff, volunteers, and contractors to report any expressed threats or behaviors that may represent a threat to the community, school, or self. [PRESSPlus1](#)
4. Encourage parents/guardians and students to report any expressed threats or behaviors that may represent a threat to the community, school, or self. [PRESSPlus2](#)
5. Comply with State and federal law and align with Board policies.

The Local Governmental and Governmental Employees Tort Immunity Act protects the District from liability. The Program does not: (1) replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in violence prevention, assessments and counseling services, (2) extend beyond available resources within the District, (3) extend beyond the school day and/or school-sponsored events, or (4) guarantee or ensure the safety of students, District staff, or visitors.

LEGAL REF.:

[105 ILCS 5/10-20.14](#), [5/10-21.7](#), [5/10-27.1A](#), [5/10-27.1B](#), [5/24-24](#), and [5/27-23.7](#).

[105 ILCS 128/](#), School Safety Drill Act.

[745 ILCS 10/](#), Local Governmental and Governmental Employees Tort Immunity Act.

[29 Ill.Admin.Code Part 1500](#).

CROSS REF.: 2:240 (Board Policy Development), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:140 (Search and Seizure), 7:150 (Agency and Police

Interviews), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention), 7:340 (Student Records), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED: August 5, 2024

PRESSPlus Comments

PRESSPlus 1. Updated in response to *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Fifth Edition (July 2023), Virginia Center for School and Campus Safety, Virginia Dept. of Criminal Justice Services, at: www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/k-12_threat_assessment_management_mppg_mpd.pdf.

In alignment with this policy, sample administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*, requires the TAT to train staff and other members of the school community to recognize and report possible threats, and sample exhibit 4:190-AP2, E6, *Targeted School Violence Prevention and Threat Assessment Education*, requires all district staff, volunteers, and contractors to report any expressed threats or behaviors that may represent a threat to the community, school, or self. Sample administrative procedures and exhibits can be accessed at PRESS Online by logging in at www.iasb.com. **Issue 114, March 2024**

PRESSPlus 2. In alignment with this policy, sample administrative procedure 4:190-AP2, *Threat Assessment Team (TAT)*, requires the TAT to train parents/guardians and other members of the school community to recognize and report possible threats, and sample exhibit 4:190-AP2, E6, *Targeted School Violence Prevention and Threat Assessment Education*, encourages parents/guardians and students to report any expressed threats or behaviors that may represent a threat to the community, school, or self. **Issue 114, March 2024**

Document Status: Draft Update

5:10 Equal Employment Opportunity and Minority Recruitment

The School District shall provide equal employment opportunities to all persons regardless of their race; color; creed; religion; national origin; sex; sexual orientation; age; ancestry; marital status; arrest record; military status; order of protection status; unfavorable military discharge; citizenship status provided the individual is authorized to work in the United States; work authorization status; use of lawful products while not at work; being a victim of domestic violence, sexual violence, gender violence, or any other crime of violence; genetic information; physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation; pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; conviction record, unless authorized by law; or other legally protected categories. No one will be penalized solely for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Program Act, [410 ILCS 130/](#).

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the under Board policy 2:260, Uniform Grievance Procedure, or in the case of denial of equal employment opportunities on the basis of race, color, or national origin, Board policy 2:270, Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited. [PRESSPlus1](#) These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager for the under Board policy 2:260, Uniform Grievance Procedure.

The Superintendent shall appoint a Title IX Coordinator to coordinate the District's efforts to comply with Title IX.

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

Nondiscrimination Coordinator:

Gina Schurman, Assistant

Superintendent of Human Resources

Name

3063 Fiat Avenue,
Springfield, IL 62703

Address

gmmac@sps186.org

Email

217-525-3006

Telephone

Complaint Managers/Title IX Coordinators:

Jason Wind, Executive Director
of School Support

Name

3063 Fiat Avenue,
Springfield, IL 62703

Address

jwind@sps186.org

Email

217-525-7911

Telephone

Nicole Moody, Assistant Superintendent
of Teaching and Learning

Name

3063 Fiat Avenue,
Springfield, IL 62703

Address

ngales@sps186.org

Email

217-525-3011

Telephone

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

Minority Recruitment

The District will attempt to recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however, does not require or permit the District to give preferential treatment or special rights based on a protected status without evidence of past discrimination. The District shall continue to follow the terms of the December 7, 1976, Memorandum and Order (Desegregation Order) entered in S-Civ-74-44.

LEGAL REF.:

[8 U.S.C. §1324a](#) *et seq.*, Immigration Reform and Control Act.

[20 U.S.C. §1681](#) *et seq.*, Title IX of the Education Amendments of 1972; [34 C.F.R. Part 106](#).

[29 U.S.C. §206](#)(d), Equal Pay Act.

[29 U.S.C. §218d](#), Fair Labor Standards Act.

[29 U.S.C. §621](#) *et seq.*, Age Discrimination in Employment Act.

[29 U.S.C. §701](#) *et seq.*, Rehabilitation Act of 1973.

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

[42 U.S.C. §1981](#) *et seq.*, Civil Rights Act of 1991.

[42 U.S.C. §2000d](#) *et seq.*, Title VI of the Civil Rights Act of 1964; [34 C.F.R. Part 100](#).

42 U.S.C. §2000e *et seq.*, Title VII of the Civil Rights Act of 1964; [29 C.F.R. Part 1601](#).

42 U.S.C. §2000ff *et seq.*, Genetic Information Nondiscrimination Act of 2008.

~~[42 U.S.C. §2000d](#) *et seq.*, Title VI of the Civil Rights Act of 1964.~~

[42 U.S.C. §2000gg](#) *et seq.*, Pregnant Workers Fairness Act.

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

[42 U.S.C. §12111](#) *et seq.*, Americans with Disabilities Act, Title I.

[III. Constitution, Art. I](#), §§17, 18, and 19.

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

[410 ILCS 130/40](#), Compassionate Use of Medical Cannabis Program Act.

[410 ILCS 513/25](#), Genetic Information Privacy Act.

[740 ILCS 174/](#), III. Whistleblower Act.

[775 ILCS 5/1-103](#), [5/2-101](#), [5/2-102](#), [5/2-103](#), [5/2-103.1](#), [5/2-104](#)(D) and [5/6-101](#), III. Human Rights Act.

[775 ILCS 35/](#), Religious Freedom Restoration Act.

[820 ILCS 55/10](#), Right to Privacy in the Workplace Act.

[820 ILCS 70/](#), Employee Credit Privacy Act.

[820 ILCS 75/](#), Job Opportunities for Qualified Applicants Act.

[820 ILCS 112/](#), III. Equal Pay Act of 2003.

[820 ILCS 180/30](#), Victims' Economic Security and Safety Act.

[820 ILCS 260/](#), Nursing Mothers in the Workplace Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX ~~Sexual Harassment~~ Grievance Procedure), [2:270 \(Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited\)](#), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment At-Will, Compensation, and Assignment), 5:300 (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

~~ADOPTED: August 5, 2024~~

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/22-95 (final citation pending), added by P.A. 103-472, eff. 8-1-24, requiring a board to adopt a policy (or policies) that prohibits discrimination and harassment based on race, color, and national origin, as well as retaliation. **Issue 114, March 2024**

Document Status: Draft Update

5:20 Workplace Harassment Prohibited

The School District expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual's actual or perceived race, color, religion, national origin, ancestry, sex, sexual orientation, age, citizenship status, work authorization status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other protected status identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Sexual Harassment Grievance Procedure*; 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*; [PRESSPlus1](#) 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*.

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

Sexual Harassment Prohibited

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

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment prohibited by this policy includes, but is not limited to, verbal, physical, or other conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Report or Complaint

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

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

stop.

Whom to Contact with a Report or Complaint

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

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

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

Nondiscrimination Coordinator:

Gina Schurman, Assistant
Superintendent of Human Resources
Name

3063 Fiat Avenue,
Springfield, IL 62703
Address

gmmac@sps186.org
Email

217-525-3006
Telephone

Complaint Managers/Title IX Coordinators:

Jason Wind, Executive Director
of School Support
Name

Nicole Moody, Assistant Superintendent
of Teaching and Learning
Name

3063 Fiat Avenue,
Springfield, IL 62703
Address

3063 Fiat Avenue,
Springfield, IL 62703
Address

jwind@sps186.org
Email

ngales@sps186.org
Email

217-525-7911
Telephone

217-525-3011
Telephone

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator Title IX Coordinator, or a Complaint Manager. Any employee who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

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

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

For any report or complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall investigate under Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*.

For any other alleged workplace harassment that does not require action under Board policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, or 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under Board policy 2:260, *Uniform Grievance Procedure*, and/or 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, should be initiated, regardless of whether a written report or complaint is filed.

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

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

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

Enforcement

A violation of this policy by an employee may result in discipline, up to and including discharge. A

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

Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing complaints or providing information about harassment is prohibited (see Board policies 2:260, *Uniform Grievance Procedure, 2:265, Title IX Grievance Procedure, and 2:270, Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and/or the Ill. Human Rights Act ([775 ILCS 5/](#)).

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

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

Recourse to State and Federal Fair Employment Practice Agencies

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

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

LEGAL REF.:

[42 U.S.C. §2000e](#) et seq., Title VII of the Civil Rights Act of 1964; [29 C.F.R. §1604.11](#).

[20 U.S.C. §1681](#) et seq., Title IX of the Education Amendments of 1972; [34 C.F.R. Part 106](#).

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

[775 ILCS 5/2-101\(E\)](#) and (E-1), [5/2-102\(A\)](#), (A-10), (D-5), [5/2-102\(E-5\)](#), [5/2-109](#), [5/5-102](#), and [5/5-102.2](#), Ill. Human Rights Act.

[56 Ill. Admin.Code Parts 2500](#), [2510](#), [5210](#), and [5220](#).

[Vance v. Ball State Univ.](#), 570 U.S. 421 (2013).

[Crawford v. Metro. Gov't of Nashville & Davidson Cnty.](#), 555 U.S. 271 (2009).

[Jackson v. Birmingham Bd. of Educ.](#), 544 U.S. 167 (2005).

[*Oncale v. Sundowner Offshore Servs.*](#), 523 U.S. 75 (1998).

[*Burlington Indus. v. Ellerth*](#), 524 U.S. 742 (1998).

[*Faragher v. City of Boca Raton*](#), 524 U.S. 775 (1998).

[*Harris v. Forklift Systems*](#), 510 U.S. 17 (1993).

[*Franklin v. Gwinnett Co. Public Schools*](#), 503 U.S. 60 (1992).

[*Meritor Savings Bank v. Vinson*](#), 477 U.S. 57 (1986).

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

Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004).

Berry v. Delta Airlines, 260 F.3d 803 (7th Cir. 2001).

Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX ~~Sexual Harassment~~ Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:60 (Purchases and Contracts), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:20 (Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School Property)

~~ADOPTED: August 5, 2024~~

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/22-95 (final citation pending), added by P.A. 103-472, eff. 8-1-24, requiring a board to adopt a policy (or policies) that prohibits discrimination and harassment based on race, color, and national origin, as well as retaliation. The policy is also updated to incorporate the title change to 2:265, *Title IX Sexual Harassment-Grievance Procedure*, in anticipation of Title IX rulemaking. **Issue 114, March 2024**

Document Status: Draft Update - Rewritten

5:100 Staff Development Program

The Superintendent or designee shall implement a staff development program. [PRESSPlus1](#) The goal of the program shall be to update and improve the skills and knowledge of staff members in order to achieve and maintain a high level of job performance and satisfaction. Additionally, the development program for licensed staff members shall be designed to effectuate any School Improvement Plans so that student learning objectives meet or exceed goals established by the District and State.

Abused and Neglected Child Reporting Act (ANCRA) and *Erin's Law* Training

The staff development program shall include the Abused and Neglected Child Reporting Act (ANCRA) mandated reporter training and training on the awareness and prevention of child sexual abuse and grooming behaviors (*Erin's Law*) as follows (see Board policies 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*, and 5:90, *Abused and Neglected Child Reporting*):

1. Within three months of employment, each staff member must complete mandated reporter training from a provider or agency with expertise in recognizing and reporting child abuse. Mandated reporter training must be completed again at least every three years.
2. By January 31 of every year, all school personnel must complete evidence-informed training on preventing, reporting, and responding to child sexual abuse, grooming behaviors (including *sexual misconduct* as defined in *Faith's Law*), [PRESSPlus2](#) and boundary violations.

In-Service Training Requirements

The staff development program shall provide, at a minimum, within six months of employment and renewed at least once every five years thereafter (unless required more frequently by other State or federal law), the in-service training of all District staff who work with pupils on: [PRESSPlus3](#)

1. Health conditions of students, including but not limited to training on:
 - a. Chronic health conditions of students, [PRESSPlus4](#)
 - b. Anaphylactic reactions and management, conducted by a person with expertise on anaphylactic reactions and management;
 - c. Management of asthma, prevention of asthma symptoms, and emergency response in the school setting; [PRESSPlus5](#)
 - d. The basics of seizure recognition and first aid and emergency protocols, consistent with best practice guidelines issued by the Centers for Disease Control and Prevention;
 - e. The basics of diabetes care, how to identify when a diabetic student needs immediate or emergency medical attention, and whom to contact in case of emergency;
 - f. Current best practices regarding identification and treatment of attention deficit hyperactivity disorder; and
 - g. How to respond to an incident involving life-threatening bleeding, including use of a school's trauma bleeding control kit, if applicable. [PRESSPlus6](#)
2. Social-emotional learning. Training may include providing education to all school personnel

about the content of the Illinois Social and Emotional Learning Standards, how they apply to everyday school interactions, and examples of how social emotional learning can be integrated into instructional practices across all grades and subjects.

3. Developing cultural competency, including but not limited to understanding and reducing implicit bias, including *implicit racial bias* as defined in 105 ILCS 5/10-20.61 (implicit bias training).
4. Identifying warning signs of mental illness, trauma, and suicidal behavior in youth, along with appropriate intervention and referral techniques, including resources and guidelines as outlined in 105 ILCS 5/2-3.166 (*Ann Marie's Law*) and the definitions of *trauma*, *trauma-responsive learning environments*, and *whole child* as set forth in 105 ILCS 5/3-11. [PRESSPlus7](#)
5. Domestic and sexual violence and the needs of expectant and parenting youth, conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth. Training shall include, but is not limited to:
 - a. Communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth;
 - b. Connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed;
 - c. Implementing the District's policies and procedures regarding such youth, including confidentiality; and
 - d. Procedures for responding to incidents of teen dating violence that take place at school, on school grounds, at school-sponsored activities, or in vehicles used for school-provided transportation as outlined in 105 ILCS 110/3.10 (see Board policy 7:185, *Teen Dating Violence Prohibited*).
6. Protections and accommodations for students, including but not limited to training on:
 - a. The federal Americans with Disabilities Act as it pertains to the school environment; and
 - b. Homelessness.
7. Educator ethics and responding to child sexual abuse and grooming behavior (see Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*); including but not limited to training on:
 - a. Teacher-student conduct;
 - b. School employee-student conduct; and
 - c. Evidence-informed training on preventing, recognizing, reporting, and responding to child sexual abuse and grooming as outlined in 105 ILCS 5/10-23.13 (*Erin's Law*).
8. Effective instruction in violence prevention and conflict resolution, conducted in accordance with the requirements of 105 ILCS 5/27-23.4 (violence prevention and conflict resolution education).

Additional Training Requirements

In addition, the staff development program shall include each of the following: [PRESSPlus8](#)

1. Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.
2. Annual continuing education and/or training opportunities (professional standards) for school nutrition program directors, managers, and staff. Each school food authority's director shall document compliance with this requirement by the end of each school year and maintain

documentation for a three-year period.

3. All high school coaching personnel, including the head and assistant coaches, and athletic directors must obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15. Coaching personnel and athletic directors hired on or after 8-19-14 must be certified before their position's start date.
4. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses, licensed and/or non-licensed healthcare professionals serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team.
5. For school personnel who work with hazardous or toxic materials on a regular basis, training on the safe handling and use of such materials.
6. For delegated care aides performing services in connection with a student's seizure action plan, training in accordance with 105 ILCS 150/, the Seizure Smart School Act.
7. For delegated care aides performing services in connection with a student's diabetes care plan, training in accordance with 105 ILCS 145/, the Care of Students with Diabetes Act.
8. For all District staff, annual sexual harassment prevention training.
9. Title IX requirements for training in accordance with 34 C.F.R. §106.8(d) as follows (see Board policy 2:265, *Title IX Grievance Procedure*):[PRESSPlus9](#)
 - a. For all District staff, training on the definition of sexual harassment, the scope of the District's education program or activity, all relevant District policies and procedures, and the necessity to promptly forward all reports of sexual harassment to the Title IX Coordinator.
 - b. For school personnel designated as Title IX coordinators, investigators, decision makers, or informal resolution facilitators, training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.
 - c. For school personnel designated as Title IX investigators, training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
 - d. For school personnel designated as Title IX decision makers, training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant.
10. Training for all District employees on the prevention of discrimination and harassment based on race, color, and national origin in school as part of new employee training and at least once every two years.[PRESSPlus10](#)
11. Training for at least one designated employee at each school about the Prioritization of Urgency of Need for Services (PUNS) database and steps required to register students for it.[PRESSPlus11](#)

The Superintendent shall develop protocols for administering youth suicide awareness and prevention education to staff consistent with Board policy 7:290, *Suicide and Depression Awareness and Prevention*.[Q1](#)

LEGAL REF.:

20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106.

42 U.S.C. §1758b, Pub. L. 111-296, Healthy, Hunger-Free Kids Act of 2010; 7 C.F.R. Parts 210 and 235.

105 ILCS 5/2-3.62, 5/2-3.166, 5/3-11, 5/10-20.17a, 5/10-20.61, 5/10-22.6(c-5), 5/10-22.39, 5/10-23.12, 5/10-23.13, 5/22-80(h), 5/22-95, and 5/24-5.

105 ILCS 25/1.15, Interscholastic Athletic Organization Act.

105 ILCS 145/25, Care of Students with Diabetes Act

105 ILCS 150/25, Seizure Smart School Act.

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

325 ILCS 5/4, Abused and Neglected Child Reporting Act.

745 ILCS 49/, Good Samaritan Act.

775 ILCS 5/2-109 and 5/5A-103, Ill. Human Rights Act.

23 Ill.Admin.Code §§ 22.20, 226.800, and Part 525.

77 Ill.Admin.Code §527.800.

CROSS REF.: 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:50 (School Wellness), 6:160 (English Learners), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)

Questions and Answers:

***Required Question 1. For districts that have a practice of providing instruction in life-saving techniques and first-aid in their staff development programs, insert the following optional paragraph that restates 105 ILCS 5/3-11, 105 ILCS 110/3, and 77 Ill.Admin.Code §527.800:

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

Persons performing CPR are generally exempt from civil liability if they are trained in CPR (745 ILCS 49/10); persons performing automated external defibrillation are generally exempt from civil liability if

they were trained and acted according to the standards of the American Heart Association (745 ILCS 49/12).

Would the board like to add the optional paragraph shown above, restating 105 ILCS 5/3-11, 105 ILCS 110/3, and 77 Ill.Admin.Code §527.800?

No. (Default)

Yes. (IASB will add the optional paragraph shown above, restating 105 ILCS 5/3-11, 105 ILCS 110/3, and 77 Ill.Admin.Code §527.800.)

PRESSPlus Comments

PRESSPlus 1. This policy is rewritten due to Public Act 103-542, which significantly streamlines school in-service training requirements into eight categories. Though P.A. 103-542 was to be effective on 1-1-24, most of its changes become operative on 7-1-24. As a result, legislative action during Veto Session amended the effective date of P.A. 103-542 to 7-1-24. For more information, see the footnotes of sample policy 5:100, *Staff Development Program*, available at PRESS Online by logging in at www.iasb.com.

This policy contains items on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. **Issue 114, March 2024**

PRESSPlus 2. Sexual misconduct under Faith's Law is defined in 105 ILCS 5/22-85.5(c), added by P.A. 102-676. **Issue 114, March 2024**

PRESSPlus 3. This list of in-service trainings is required by State law but only numbers 4, 5(d), and 7 are required to be specified in board policy. **Issue 114, March 2024**

PRESSPlus 4. Updated in response to 105 ILCS 5/10-22.39(b-5), amended by P.A. 103-603, eff. 1-1-25, deleting "chronic health conditions of students" from the list of required staff training regarding health conditions of students. **Issue 116, August 2024**

PRESSPlus 5. Consult the board attorney about whether:

1. All asthma action plans should require immediate 911 calls based upon In re Estate of Stewart, 406 Ill.Dec. 345 (2nd Dist. 2016); In re Estate of Stewart, 412 Ill.Dec. 914 (Ill. 2017) (school district's appeal denied). The court held that a teacher's failure to dial 911 immediately upon a student's asthma attack was willful and wanton conduct, subjecting the school district to liability under the Local Governmental and Governmental Employees Tort Immunity Act.
2. The duties and responsibilities of the district when it asks for but does not receive an asthma action plan from a parent/guardian and the logistics of distributing any received plans to those employees who need to know based upon Stewart, above.

Issue 114, March 2024

PRESSPlus 6. From 6-30-23 through 7-1-24, 105 ILCS 5/10-22.39(g), added by P.A. 103-128, requires that at least once every two years, all District personnel be trained on methods to respond to trauma, including instruction on how to respond to an incident involving life-threatening bleeding and, if applicable, how to use a school's trauma kit. See 105 ILCS 5/10-20.85, added by P.A. 103-128, for a definition of *trauma kit*. To avoid confusion between trauma related to life-threatening bleeding and trauma as defined in 105 ILCS 5/3-11(b), added by P.A. 103-413, this policy uses the phrase *trauma bleeding control kit* instead of *trauma kit*.

Beginning with the 2024-25 school year, training on life-threatening bleeding must be completed within six months of employment and renewed within two years. Beginning with the 2027-28 school year, training on life-threatening bleeding must be completed within six months of employment and renewed at least once every five years thereafter. 105 ILCS 5/10-22.39(b-5)(7), added by P.A. 103-542, eff. 7-1-24. **Issue 114, March 2024**

PRESSPlus 7. Updated in response to 105 ILCS 5/10-22.39(b-20), amended by P.A. 103-603, eff. 1-1-25, requiring in-service training on the definitions of *trauma*, *trauma-responsive learning environments*, and *whole child* as set forth in 105 ILCS 5/3-11. **Issue 116, August 2024**

PRESSPlus 8. Optional. These in-services and/or trainings are required by State and/or federal law but are not required to be specified in board policy. Putting this optional list into the policy will help the board monitor that the required in-service and training topics are being covered. While it is possible to *pick and choose*, this practice is likely to add more confusion to an already confusing responsibility. Unless noted, the School Code does not mandate the frequency with which the training must occur. Several other trainings that are mentioned in laws other than the School Code are addressed in other sample policies and procedures. **Issue 114, March 2024**

PRESSPlus 9. Updated in response to 34 C.F.R. §106.8(d). **Issue 116, August 2024**

PRESSPlus 10. Updated in response to 775 ILCS 5/5A-103(c), added by P.A. 103-472, eff. 8-1-24. For training requirement details, see sample administrative procedure 2:270-AP, *Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin*, available at PRESS Online by logging in at www.iasb.com. **Issue 114, March 2024**

PRESSPlus 11. 105 ILCS 5/2-3.163(c), amended by P.A. 103-504. **Issue 114, March 2024**

Document Status: Draft Update

5:130 Responsibilities Concerning Internal Information

District employees are responsible for maintaining: (1) the integrity and security of all internal information, and (2) the privacy of confidential records, including but not limited to: student school records, personnel records, and the minutes of, and material disclosed in, a closed Board of Education meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by the District or used by the District or its employees. The Superintendent or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

LEGAL REF.:

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

~~Uses and Disclosures of Protected Health Information; General Rules~~, 45 C.F.R. §164.502, Uses and Disclosures of Protected Health Information; General Rules.

~~Ill. Freedom of Information Act~~, 5 ILCS 140/, Ill. Freedom of Information Act.

~~Local Records Act~~, 50 ILCS 205/, Local Records Act.

105 ILCS 10/, Ill. School Student Records Act.

105 ILCS 85, Student Online Personal Protection Act, [PRESSPlus1](#)

~~Personnel Record Review Act~~, 820 ILCS 40/, Personnel Record Review Act.

CROSS REF.: 2:140 (Communications To and From the Board), 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

~~ADOPTED: August 5, 2024~~

PRESSPlus Comments

PRESSPlus 1. The Legal References are updated. **Issue 115, June 2024**

Document Status: Draft Update

5:200 Terms and Conditions of Employment and Dismissal

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

School Year

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

School Day, Duty-Free Lunch, Salary, Assignments and Transfers, Evaluation

Please refer to the applicable collective bargaining agreement(s).

Nursing Mothers

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

School Social Worker Services Outside of District Employment

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

Dismissal

The District will follow State law when dismissing a teacher.

LEGAL REF.:

[29 U.S.C. §218\(d\)](#), [Pub. L. 117-328](#), Pump for Nursing Mothers Act.

[42 U.S.C. §2000gg](#) et seq., [Pub. L. 117-328](#), Pregnant Workers Fairness Act.

[105 ILCS 5/10-19](#), [5/10-19.05](#), [5/10-20.65](#), [5/14-1.09a](#), [5/22-965](#), [PRESSPlus1 5/22.4](#), [5/24-16.5](#), [5/24-2](#), [5/24-8](#), [5/24-9](#), [5/24-11](#), [5/24-12](#), [5/24-21](#), [5/24A-1 through 24A-20](#).

[820 ILCS 260/](#), Nursing Mothers in the Workplace Act.

[23 Ill.Admin.Code Parts 50](#) (Evaluation of Educator Licensed Employees) and [51](#) (Dismissal of Tenured Teachers).

[Cleveland Bd. of Educ. v. Loudermill](#), 470 U.S. 532(1985).

CROSS REF.: 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:290 (Employment Termination and Suspensions), 6:20 (School Year Calendar and Day)

ADOPTED: August 5, 2024

PRESSPlus Comments

PRESSPlus 1. 105 ILCS 5/22-96, added by P.A. 103-46 and amended by P.A. 103-564, requires school districts, when hiring or assigning educators for physical education, music, or visual arts, to prioritize the hiring or assigning of educators who hold an educator license and endorsement in those areas. The law also requires educators in these areas to obtain short-term approval if they are not licensed in the content area, or, if no short-term approval is available, they must meet criteria specified by the Ill. State Board of Education (ISBE). Educators must obtain an endorsement in the area being taught prior to the end of the short-term approval period to continue to maintain the educator's employment for subsequent school years. In the alternative, educators do not need to be licensed, obtain short-term approval, or meet other ISBE requirements if they meet the requirements of Title 23 of the Illinois Administrative Code except for Section 1.710. **Issue 115, June 2024**

Document Status: Draft Update

5:300 Schedules and Employment Year

The Superintendent shall supervise a process for setting work schedules and an employment year for educational support employees in accordance with State and federal law, Board of Education policy, and applicable agreements and shall:

1. Assign each employee one supervisor who will establish a work schedule, including breaks, as required by building or District needs, workload, and the efficient management of human resources;
2. Allow for the ability to respond to changing circumstances by altering work schedules as needed; and
3. Consider the well-being of the employee. The Superintendent's approval is required to establish a flexible work schedule or job-sharing.

Breaks

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement:

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

Nursing Mothers

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

LEGAL REF.:

~~Fair Labor Standards Act~~, 29 U.S.C. §§207 ~~et seq~~ and 218d, Fair Labor Standards Act. [PRESSPlus1](#)

[105 ILCS 5/10-20.14a](#), [5/10-22.34](#), and [5/10-23.5](#).

[740 ILCS 137/](#), Right to Breastfeed Act.

[820 ILCS 105/](#), Minimum Wage Law.

[820 ILCS 260/](#), Nursing Mothers in the Workplace Act.

CROSS REF.: [5:10 \(Equal Employment Opportunity and Minority Recruitment\)](#), [5:35 \(Compliance with the Fair Labor Standards Act\)](#)

~~ADOPTED: August 5, 2024~~

PRESSPlus Comments

PRESSPlus 1. The Legal References are updated. **Issue 114, March 2024**

Document Status: Draft Update

6:140 Education of Homeless Children

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths, including a public pre-school education. A *homeless child* is defined as provided in the McKinney-Vento Homeless Assistance Act and the Ill. Education for Homeless Children Act. The Superintendent or designee shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation.

A homeless child may attend the District school that the child attended when permanently housed or in which the child was last enrolled. A homeless child living in any District school's attendance area may attend that school.

The Superintendent or designee shall review and revise rules or procedures that may act as barriers to the enrollment of homeless children and youths. In reviewing and revising such procedures, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Transportation shall be provided in accordance with the McKinney-Vento Homeless Assistance Act and State law. The Superintendent or designee shall give special attention to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school. If a child is denied enrollment or transportation under this policy, the Liaison for Homeless Children shall immediately refer the child or his or her parent/guardian to the ombudsperson appointed by the Regional Superintendent and provide the child or his or her parent/guardian with a written explanation for the denial. Whenever a child and his or her parent/guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, the Liaison for Homeless Children shall, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist in accordance with State law.

LEGAL REF.:

McKinney-Vento Homeless Assistance Act, [42 U.S.C. §11431](#) *et seq.*

Ill. Education for Homeless Children Act, [105 ILCS 45/](#).

[23 Ill.Admin.Code §1.241](#). [PRESSPlus1](#)

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), [4:140 \(Waiver of Student Fees\)](#), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment and Intra-District Transfer), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)

[ADOPTED: August 5, 2024](#)

PRESSPlus Comments

PRESSPlus 1. The Legal References are updated. **Issue 115, June 2024**

Document Status: Draft Update

7:10 Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, immigration status, order of protection status, actual or potential marital or parental status, including pregnancy. Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under Board of Education policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using Board policy 2:260, *Uniform Grievance Procedure*, or in the case of discrimination on the basis of race, color, or national origin, Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. [PRESSPlus1](#)

Sex Equity

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

Any student may file a sex equity complaint by using Board policy 2:260, *Uniform Grievance Procedure*. A student may appeal the Board's resolution of the complaint to the Regional Superintendent (pursuant to [105 ILCS 5/3-10](#)) and, thereafter, to the State Superintendent of Education (pursuant to [105 ILCS 5/2-3.8](#)).

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator and a Title IX Coordinator. The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and related grievance procedures.

LEGAL REF.:

[20 U.S.C. §1681](#) *et seq.*, Title IX of the Education Amendments of 1972; [34 C.F.R. Part 106](#).

29 U.S.C. §791 *et seq.*, Rehabilitation Act of 1973; [34 C.F.R. Part 104](#).

[42 U.S.C. §2000d](#), Title VI of the Civil Rights Act of 1964; [34 C.F.R. Part 100](#).

[42 U.S.C. §11431](#) *et seq.*, McKinney-Vento Homeless Assistance Act.

[Good News Club v. Milford Central Sch.](#), 533 U.S. 98 (2001).

[Ill. Constitution, Art. I](#), §18.

[105 ILCS 5/3.25b](#), [5/3.25d\(b\)](#), [5/10-20.12](#), [5/10-20.60](#), [5/10-20.63](#), [5/10-22.5](#), and [5/27-1](#).

[775 ILCS 5/1-101](#) *et seq.*, Illinois Human Rights Act.

[775 ILCS 35/5](#), Religious Freedom Restoration Act.

[23 Ill.Admin.Code §1.240](#) and [Part 200](#).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX [Sexual Harassment](#) Grievance Procedure), [2:270 \(Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited\)](#), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:130 (Student Rights and Responsibilities), 7:160 (Student Appearance), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:250 (Student Support Services), 7:330 (Student Use of Buildings - Equal Access), 7:340 (Student Records), 8:20 (Community Use of School Facilities)

[ADOPTED: August 5, 2024](#)

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/22-95 (final citation pending), added by P.A. 103-472, eff. 8-1-24, requiring a board to adopt a policy (or policies) that prohibits discrimination and harassment based on race, color, and national origin, as well as retaliation. **Issue 114, March 2024**

Document Status: Draft Update

7:10-E Exhibit - Equal Educational Opportunities Within the School Community

The School District welcomes diversity in its schools. **Board Policy 7:10, *Equal Educational Opportunities*** cites the many civil rights laws that guarantee equal education opportunities to all students. In addition, the policies below address the equal educational opportunities, health, safety, and general welfare of students within the District. These policies are not a complete list, and depending on the factual context, another policy not specifically listed may apply:

1. 2:260, *Uniform Grievance Procedure*, contains the process for an individual to seek resolution of a complaint. A student may use this policy to complain about bullying. The District Complaint Manager shall address the complaint promptly and equitably.
2. 2:265, *Title IX Grievance Procedure*, contains the process that must be followed for complaints of Title IX harassment. [PRESSPlus1](#)
3. 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, prohibits any person from discriminating against or harassing a student based on race, color, or national origin.
4. 6:65, *Student Social and Emotional Development*, requires that social and emotional learning be incorporated into the District's curriculum and other educational programs.
5. 7:10, *Equal Educational Opportunities*, requires that equal educational and extracurricular opportunities be available to all students without regard to, among other protected statuses, sex, sexual orientation, and gender identity.
6. 7:20, *Harassment of Students Prohibited*, prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy including, among other protected statuses, sex, sexual orientation, and gender identity.
7. 7:130, *Student Rights and Responsibilities*, recognizes that all students are entitled to rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.
8. 7:160, *Student Appearance*, prohibits students from dressing or grooming in such a way as to disrupt the educational process, interfere with a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. It recognizes that students have the right to wear hairstyles historically associated with race, ethnicity, or hair texture, and to wear or accessorize the student's graduation attire with items associated with the student's cultural, ethnic, or religious identity, or other characteristic protected by State law.
9. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the comprehensive structure for the District's bullying prevention program.
10. 7:250, *Student Support Services*, directs the Superintendent to develop protocols for responding to students' social, emotional, or mental health needs that impact learning.
11. 7:330, *Student Use of Buildings - Equal Access*, grants student-initiated groups or clubs the free use of school premises for their meetings, under specified conditions.
12. 7:340, *Student Records*, contains the comprehensive structure for managing school student records, keeping them confidential, and providing access as allowed or required.

DATED: August 5, 2024

PRESSPlus Comments

PRESSPlus 1. Updated in response to a five-year review. **Issue 114, March 2024**

Document Status: Draft Update

7:20 Harassment of Students Prohibited

No person, including a School District employee, ~~agent~~, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; physical appearance; socioeconomic status; academic status; PRESSPlus1 association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Sexual Harassment Prohibited

The District shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. See Board policies 2:265, PRESSPlus2 *Title IX ~~Sexual Harassment~~ Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Making a Report or Complaint

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

Reports under this policy will be considered a report under Board policy 2:260, *Uniform Grievance Procedure*, and/or Board policy 2:265, *Title IX ~~Sexual Harassment~~ Grievance Procedure*. The Nondiscrimination Coordinator, Title IX Coordinator, and/or Complaint Manager or designee shall process and review the report according to the appropriate grievance procedure. The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Managers.

Nondiscrimination Coordinator:

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Superintendent of Human Resources

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

1. For students, age-appropriate information about the contents of this policy in the District's student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school.
2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the

report or complaint to the Nondiscrimination Coordinator Title IX Coordinator, or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge.

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

For any report or complaint alleging sex-based ^{ual} [PRESSPlus3](#) harassment that, if true, would implicate Title IX of the Education Amendments of 1972 ([20 U.S.C. §1681 et seq.](#)), the Title IX Coordinator or designee shall consider whether action under [Board](#) policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any report or complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall investigate under [Board](#) policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, [PRESSPlus4](#)

For any other alleged student harassment that does not require action under [Board](#) policies 2:265, *Title IX Sexual Harassment Grievance Procedure*, or 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under [Board](#) policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

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

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

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

Enforcement

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

Retaliation Prohibited

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

Harassment Grievance Procedure, and 2:270, Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited).

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

LEGAL REF.:

[20 U.S.C. §1681](#) et seq., Title IX of the Educational Amendments of 1972; [34 C.F.R. Part 106](#).

[29 U.S.C. §791](#) et seq., Rehabilitation Act of 1973; [34 C.F.R. Part 104](#).

[42 U.S.C. §2000d](#), Title VI of the Civil Rights Act of 1964; [34 C.F.R. Part 100](#).

[105 ILCS 5/10-20.12](#), [5/10-22.5](#), [5/10-23.13](#), [5/27-1](#), and [5/27-23.7](#).

[775 ILCS 5/1-101](#) et seq., Illinois Human Rights Act.

[23 Ill.Admin.Code §1.240](#) and [Part 200](#).

[Davis v. Monroe County Bd. of Educ.](#), 526 U.S. 629 (1999).

[Franklin v. Gwinnett Co. Public Schs.](#), 503 U.S. 60 (1992).

[Gebser v. Lago Vista Independent Sch. Dist.](#), 524 U.S. 274 (1998).

[West v. Derby Unified Sch. Dist. No. 260](#), 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), [2:270 \(Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited\)](#), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

ADOPTED: August 5, 2024

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/27-23.7, amended by P.A. 103-47, adding protected categories to the prohibition on bullying. **Issue 114, March 2024**

PRESSPlus 2. Updated in response to the title change to 2:265, *Title IX Sexual Harassment Grievance Procedure*, in anticipation of Title IX rulemaking. **Issue 114, March 2024**

PRESSPlus 3. Updated in response to final regulations implementing Title IX. **Issue 116, August 2024**

PRESSPlus 4. Updated in response to 105 ILCS 5/22-95 (final citation pending), added by P.A. 103-472, eff. 8-1-24, requiring a board to adopt a policy (or policies) that prohibits discrimination and harassment based on race, color, and national origin, as well as retaliation. **Issue 114, March 2024**

Document Status: Draft Update

7:180 Prevention of and Response to Bullying, Intimidation, and Harassment

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

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, [PRESSPlus1](#) pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in each of the following situations:

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

Definitions from [105 ILCS 5/27-23.7](#)

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

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

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public

humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

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

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

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

Bullying Prevention and Response Plan

The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below; each numbered requirement, 1-12, corresponds with the same number in the list of required policy components in 105 ILCS 5/27-23.7(b) 1-12.

1. The District uses the definition of *bullying* as provided in this policy.
2. Bullying is contrary to State law and the policy of this District. However, nothing in the District's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the [First Amendment to the U.S. Constitution](#) or under Section 3 of [Article I of the Illinois Constitution](#).
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District named officials or any staff member. The District named officials and all staff members are available for help with a bully or to make a report about bullying. Anonymous reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

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4. Consistent with federal and State laws and rules governing student privacy rights, the Superintendent or designee shall promptly inform the parent(s)/guardian(s) of every all students involved in an alleged incident of bullying will be notified of such, along with threats, suggestions, or instances of self-harm determined to be the result of bullying, within 24 hours after the school's administration is made aware of the student's involvement in the incident. and discuss, aAs appropriate, the school's administration shall also discuss the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. The school shall make diligent efforts to notify a parent or legal guardian, utilizing all contact information the school has available or that can be reasonably obtained within the 24-hour period. [PRESSPlus2](#)
5. The Superintendent or designee shall promptly investigate and address reports of bullying, by,

among other things:

- a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident.
- b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
- c. Notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible after the report is received.
- d. Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

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

6. The Superintendent or designee shall use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.
7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion with regard to students.
8. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) *bullying*, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.
9. The District's bullying prevention and response plan is based on the engagement of a range of school stakeholders, including students and parents/guardians.
10. The Superintendent or designee shall post this policy on the District's publicly accessible website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty.
11. Pursuant to State law and Board policy 2:240, *Board Policy Development*, the Board monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions. The Superintendent or designee shall assist the Board with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. This process shall include, without limitation:
 - a. The frequency of victimization;
 - b. Student, staff, and family observations of safety at a school;

- c. Identification of areas of a school where bullying occurs;
- d. The types of bullying utilized; and
- e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following:

- 1) An updated version of the policy with the amendment/modification date included in the reference portion of the policy;
- 2) If no revisions are deemed necessary, a copy of board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or
- 3) A signed statement from the Board President indicating that the Board re-evaluated the policy and no changes to it were necessary.

The Superintendent or designee must post the information developed as a result of the policy re-evaluation on the District's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30.

- 12. The District's bullying prevention plan must be consistent with other Board policies.
- 13. The Superintendent or designee shall fully inform staff members of the District's goal to prevent students from engaging in bullying and the measures being used to accomplish it.

LEGAL REF.:

[105 ILCS 5/10-20.14](#), [5/10-22.6\(b-20\)](#), [5/24-24](#), and [5/27-23.7](#).

[405 ILCS 49/](#), Children's Mental Health Act.

[775 ILCS 5/1-103](#), Ill. Human Rights Act.

[23 Ill.Admin.Code §§1.240](#), [1.280](#), and [1.295](#).

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX **Sexual Harassment** Grievance Procedure), **2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited)**, 4:170 (Safety), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

ADOPTED: August 5, 2024

PRESSPlus Comments

PRESSPlus 1. Updated in response to 105 ILCS 5/27-23.7, amended by P.A. 103-47, adding

protected categories to the prohibition on bullying. The bases are also re-ordered to align with the order they are listed within the Ill. State Board of Education (ISBE) Model Bullying Prevention Policy (available at www.isbe.net/Documents/Model-Bullying-Prevention-Policy.pdf).

Additionally, 105 ILCS 5/27-23.7(f), added by P.A. 103-47, requires districts to collect non-identifiable data regarding verified allegations of bullying within the District and submit it in an annual report to ISBE by no later than August 15 of each year, beginning with the 2024-25 school year through the 2030-31 school year. ISBE must adopt rules for data submission that include but are not limited to: (1) a record of each verified allegation of bullying and action taken; and (2) whether the instance of bullying was based on actual or perceived characteristics identified in 105 ILCS 5/27-23.7(a) and, if so, lists the relevant characteristics. **Issue 114, March 2024**

PRESSPlus 2. Updated in response to 105 ILCS 5/27-23.7, amended by P.A. 103-47, requiring notification within 24 hours to the parents/guardians of students involved in bullying incidents. **Issue 114, March 2024**

Document Status: Draft Update

7:185 Teen Dating Violence Prohibited

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

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

1. Fully implements and enforces each of the following Board policies:
 - a. 2:260, *Uniform Grievance Procedure*. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if he or she believes that the Board of Education, its employees, or its agents have violated his or her rights under the State or federal Constitution, State or federal statute, Board policy, or various enumerated bases.
 - b. 2:265, *Title IX Sexual Harassment Grievance Procedure*. This policy prohibits any person a District employee, agent, or student from engaging in sexual discrimination, including sex-based [PRESSPlus1](#) harassment, in violation of Title IX of the Education Amendments of 1972. Prohibited conduct includes but is not limited to sexual assault, dating violence, domestic violence, and stalking.
 - c. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person, including a District employee, agent, or student, from harassing intimidating, or bullying a student based on the student's actual or perceived characteristics of sex; sexual orientation; gender identity; and gender-related identity or expression (this policy includes more protected statuses).
 - d. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-related events and electronically. Prohibited conduct includes threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.
2. Encourages anyone with information about incidents of teen dating violence to report them to any of the following individuals:
 - a. Any school staff member. School staff shall respond to incidents of teen dating violence by following the District's established procedures for the prevention, identification, investigation, and response to bullying and school violence.
 - b. The Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager identified in policy 7:20, *Harassment of Students Prohibited*.
3. Incorporates age-appropriate instruction in grades 7 through 12, in accordance with the

District's comprehensive health education program in Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.

4. Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager.
5. Notifies students and parents/guardians of this policy.

Incorporated

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

LEGAL REF.:

[105 ILCS 110/3.10.](#)

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

ADOPTED: August 5, 2024

PRESSPlus Comments

PRESSPlus 1. Updated in response to final regulations implementing Title IX. **Issue 116, August 2024**