

WHITESIDE SCHOOL DISTRICT 115

POLICY MANUAL

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School Board

2:010 School District Governance

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

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

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

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

CROSS REF.: 1:10 (School District Legal Status)

ADOPTED: October 15, 1998

School Board

2:020 Powers and Duties of the School Board

The powers and duties of the School Board generally include:

1. Formulating, adopting, and modifying School Board policies, at its sole discretion, subject only to mandatory collective bargaining agreements;
2. Employing a Superintendent and other personnel, determining their compensation, and dismissing personnel;
3. Approving the annual budget, tax levies, major expenditures, payment of obligations, annual audit, and other aspects of the District's financial operation;
4. Letting contracts utilizing the public bidding procedure when required;
5. Providing, constructing, controlling, supervising, and maintaining adequate physical facilities;
6. Approving the curriculum, textbooks, and educational services;
7. Evaluating the educational program;
8. Establishing student discipline policies and expelling students;
9. Establishing attendance units within the District and assigning students to the schools;
10. Establishing the school year;
11. Visiting and inspecting the District's schools;
12. Providing student transportation services;
13. Entering into joint agreements with other School Boards to establish cooperative educational programs or provide educational facilities; and
14. Communicating the schools' activities and operations to the community and representing the needs and desires of the community in educational matters.

LEGAL REF.: 105 ILCS 5/10-1 et seq.
23 Ill. Admin. Code § 1.210(b).
Mary Doyle et al. v. Holy Cross Hospital, (1999, Ill. S.Ct.)

CROSS REF.: 1:10 (School District Legal Status), 2:10 (School District Governance), 2:240
(Board Policy Development)

ADOPTED: September 18, 2003

School Board

2:030 School District Elections

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

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

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

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

CROSS REF.: 2:40 (Board Member Qualifications)
2:50 (Board Member Term of Office)

2:210 (Organizational School Board Meeting)

Amended: April 19, 2018

School Board

2:040 Board Member Qualifications

A School Board member must be, on the date of election, a United States citizen at least 18 years of age, a resident of Illinois and the District for at least one year immediately preceding election, a registered voter and be neither a school trustee nor a school treasurer. A School Board member must also have filed an economic interest statement as required by the Illinois Governmental Ethics Act.

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

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

CROSS REF.: 2:30 (School Board Elections)

ADOPTED: October 15, 1998

School Board

2:050 Board Member Term of Office

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

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

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

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

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

ADOPTED: September 18, 2003

REVISED: April 21, 2005

School Board

2:060 Board Member Removal from Office

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

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

CROSS REF.: 2:70 (Vacancies on School Board – Filling Vacancies)

ADOPTED: October 15, 1998

School Board

2:070 Vacancies on School Board - Filling Vacancies

Vacancy

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

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

Filling Vacancies

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

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

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

CROSS REF.: 2:40 (Board Member Qualifications), 2:60 (Board Member Removal From Office)

ADOPTED: September 18, 2003

School Board

2:080 Board Member Oath and Conduct

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

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

I further swear (or affirm) that:

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

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

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

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

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

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

LEGAL REF.:

105 ILCS 5/10-16.5.

Amended: April 19, 2018

School Board

2:100 Board Member Conflict of Interest

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

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

LEGAL REF.: 5 ILCS 420/4A-101, 420/4A-105, 420/4A-106, 420/4A-107
50 ILCS 105/3.
105 ILCS 5/10-9
2 C.F.R. §200.318(c)(1)

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

Amended: April 19, 2918

School Board

2:105 Ethics and Gift Ban

Prohibited Political Activity

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

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

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

Limitations on Receiving Gifts

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

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

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Board member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.

6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Board members or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. *Catered* means food or refreshments that are purchased ready to consume, which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. *Intra-governmental gift* means any gift given to a Board member or employee from another Board member or employee, and *inter-governmental gift* means any gift given to a Board member or employee from an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

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

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

Enforcement

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

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

Definitions

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

Political activity means:

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

11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

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

Prohibited source means any person or entity who:

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

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

LEGAL REF.:

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

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

5 ILCS 420/4A-101, 420/4A-105, 420/4A-106, 420/4A-107

50 ILCS 105/3; 105 ILCS 5/10-9; 2 C.F.R. §200.318(c)(1)

Amended: April 19, 2918

ETHICS ORDINANCE

PREAMBLE

WHEREAS, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act (Public Act 93-615, effective November 19, 2003, as amended by Public Act 93-617, effective December 9, 2003), which is a comprehensive revision of State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

WHEREAS, the Act requires all units of local government and school districts, within six months after the effective date of Public Act 93-615, to adopt ordinances or resolutions regulating the political activities of, and the solicitation and acceptance of gifts by, the officers and employees of such units "in a manner no less restrictive" than the provisions of the Act; and

WHEREAS, it is the clear intention of the Act to require units of local government and school districts to implement regulations that are at least as restrictive as those contained in the Act, and to impose penalties for violations of those regulations that are equivalent to those imposed by the Act, notwithstanding that such penalties may exceed the general authority granted to units of local government to penalize ordinance violations; and

WHEREAS, it is the clear intention of the Act to provide units of local government with all authority necessary to implement its requirements on the local level regardless of any general limitations on the power to define and punish ordinance violations that might otherwise be applicable; and

WHEREAS, because the Act provides for the imposition of significant penalties for violations of said local regulations, it is necessary to adopt the required regulations by Ordinance rather than by Resolution;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF EDUCATION OF THE WHITESIDE SCHOOL DISTRICT #115, AS FOLLOWS:

SECTION 1: The Code of Ordinances of Whiteside School District #115 is hereby amended by the addition of the following provisions:

ARTICLE 1

DEFINITIONS

Section 1-1. For purposes of this ordinance, the following terms shall be given these definitions:

"Campaign for elective office" means any activity in furtherance of an effort to influence the selection, nomination, election, or appointment of any individual to any federal, State, or local public office or office in a political organization, or the selection, nomination, or election of Presidential or Vice-Presidential electors, but does not include activities (i) relating to the support or opposition of

any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Candidate" means a person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in section 1-3 of the Election Code (10 ILCS 5/1-3). "Collective bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Collective Bargaining" has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 315/3).

"Compensated time" means, with respect to an employee, any time worked by or credited to the employee that counts toward any minimum work time requirement imposed as a condition of his or her employment, but for purposes of this Ordinance, does not include any designated holidays, vacation periods, personal time, compensatory time off or any period when the employee is on a leave of absence. With respect to officers or employees whose hours are not fixed, "compensated time" includes any period of time when the officer is on premises under the control of the employer and any other time when the officer or employee is executing his or her official duties, regardless of location.

"Compensatory time off" means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of his or her employment.

"Contribution" has the same meaning as that term is defined in section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

"Employee" means a person employed by the Whiteside School District #115 whether on a full-time or part-time basis or pursuant to a contract, whose duties are subject to the direction and control of an employer with regard to the material details of how the work is to be performed, but does not include an independent contractor.

"Employer" means the Whiteside School District #115.

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

"Leave of absence" means any period during which an employee does not receive (i) compensation for employment, (ii) service credit towards pension benefits, and (iii) health insurance benefits paid for by the employer.

"Officer" means a person who holds, by election or appointment, an office created by statute or ordinance, regardless of whether the officer is compensated for service in his or her official capacity.

"Political activity" means any activity in support of or in connection with any campaign for elective office or any political organization, but does not include activities (i) relating to the support or opposition of any executive, legislative, or administrative action, (ii) relating to collective bargaining, or (iii) that are otherwise in furtherance of the person's official duties.

"Political organization" means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9-3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

"Prohibited political activity" means:

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

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

"Prohibited source" means any person or entity who:

- (1) is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee;
- (2) does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee;
- (3) conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
- (4) has interests that may be substantially affected by the performance or non- performance of the official duties of the officer or employee.

ARTICLE 5

PROHIBITED POLITICAL ACTIVITIES

Section 5-1. Prohibited political activities. (a) No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Whiteside School District #115 in connection with any prohibited political activity.

(b) At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation or personal time off).

(c) No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

(d) Nothing in this Section prohibits activities that are permissible for an officer or employee to engage in as part of his or her official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this Ordinance.

(e) No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he or she is a member or an officer of a political committee, of a political party, or of a political organization or club.

ARTICLE 10

GIFT BAN

Section 10-1. Gift ban. Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section.

Section 10-2. Exceptions. Section 10-1 is not applicable to the following:

(1) Opportunities, benefits, and services that are available on the same conditions as for the general public.

(2) Anything for which the officer or employee, or his or her spouse or immediate family member, pays the fair market value.

(3) Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.

(4) Educational materials and missions.

(5) Travel expenses for a meeting to discuss business.

(6) A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

(7) Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.

(8) Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.

(9) Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee), if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee, and are customarily provided to others in similar circumstances.

(10) Intra-governmental and inter-governmental gifts. For the purpose of this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.

(11) Bequests, inheritances, and other transfers at death.

(12) Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

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

Section 10-3. Disposition of gifts. An officer or employee, his or her spouse or an immediate family member living with the officer or employee, does not violate this Ordinance if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

ARTICLE 25

PENALTIES

11 Section 25-1. Penalties.

(a) A person who intentionally violates any provision of Article 5 of this Ordinance may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(b) A person who intentionally violates any provision of Article 10 of this Ordinance is subject to a fine in an amount of not less than \$1,001 and not more than \$5,000.

(c) Any person who intentionally makes a false report alleging a violation of any provision of this Ordinance to the local enforcement authorities, the State's Attorney or any other law enforcement official may be punished by a term of incarceration in a penal institution other than a penitentiary for a period of not more than 364 days, and may be fined in an amount not to exceed \$2,500.

(d) A violation of Article 5 of this Ordinance shall be prosecuted as a criminal offense by an attorney for the Whiteside School District #115 by filing in the circuit court an information, or sworn complaint, charging such offense. The prosecution shall be under and conform to the rules of criminal procedure. Conviction shall require the establishment of the guilt of the defendant beyond a reasonable doubt. A violation of Article 10 of this Ordinance may be prosecuted as a quasi-criminal offense by an attorney for the Whiteside School District #115 or, if an Ethics Commission has been created, by the Commission through the designated administrative procedure.

(e) In addition to any other penalty that may be applicable, whether criminal or civil, an officer or employee who intentionally violates any provision of Article 5 or Article 10 of this Ordinance is subject to discipline or discharge.

SECTION 2: Repeal of original gift ban provisions.

Policy Number 5:130, adopted on 9/18/03 is hereby repealed.

SECTION 3: This Ordinance shall be in effect upon its passage, approval and publication *[if required]* as provided by law.

School Board

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

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

President

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

1. Preside at all meetings;
2. Make all Board committee appointments;
3. Be a non-voting ex-officio member of all Board committees;
4. Represent the Board on other boards or agencies;
5. Serve as chairperson of the Education Officers Electoral Board which hears challenges to School Board candidate nominating petitions;
6. Sign official District documents requiring the President's signature, including Board minutes and Certificate of Tax Levy;
7. Call special meetings of the Board;
8. Review appeals of record access requests that were denied; and
9. Serve as the Board's official spokesperson to the media.

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

The Vice President fills a vacancy in the Presidency.

Vice President

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

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

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

Secretary

The Secretary shall be appointed by the Board. The Secretary shall receive reasonable compensation as fixed by the Board at least 180 days before the beginning of the term. The Secretary shall perform or delegate the following duties:

1. Keep Board meeting minutes;
2. Prepare Board meeting agendas and provide them, along with prior meeting minutes, to Board members before the next meeting;
3. Mail meeting notification and agenda to news media who have officially requested copies;
4. Keep records of the Board's official acts, and sign them, along with the President, before submitting them annually to the Treasurer on the first Monday of April and October and on such other times as the Treasurer requests;
5. Report to the Treasurer on or before July 7, annually, such information as the Treasurer is required to include in the Treasurer's report to the Regional Superintendent;
6. Act as the local election authority for all school elections;
7. Arrange public inspection of the budget before adoption;
8. Publish required notices;

9. Sign official District documents requiring the Secretary's signature; and
10. Maintain Board policy, financial reports, publicity, and correspondence.

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

Treasurer

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

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

The Treasurer shall:

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

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

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

CROSS REF.: 2:210 (Organizational School Board Meeting)

DOPTED: September 18, 2003

REVISED: April 21, 2005

School Board

2:120 Board Member Development

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

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

New Board Member Orientation

The following steps are taken to orient newly elected or appointed School Board members:

1. The Board President or designee shall arrange a meeting with new Board member(s) for the purpose of explaining and answering questions about Board processes and procedures.
2. The Superintendent or designee shall arrange a meeting of the Board President, the Superintendent, and the new member for the purpose of answering questions and acquainting the member with the District.
3. The Superintendent shall give each new School Board member copies of the School Board Policy Manual, the School Board meetings minutes for the past year, and other helpful information including material explaining the School Board's roles and responsibilities.
4. The Board President may request a veteran Board member to mentor a new member.
5. New members are encouraged to attend workshops for new members conducted by the Illinois Association of School Boards.

Candidates

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

CROSS REF.: 2:80 (Board Member Ethics), 2:125 (Board Member Expenses)

ADOPTED: September 18, 2003

School Board

2:125 Board Member Compensation; Expenses

Board Member Compensation Prohibited

Board 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.

The School Board may advance or reimburse members the actual and necessary expenses incurred while attending:

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

Expense reimbursement is not guaranteed and Board members should seek pre-approval of expenses, except in situations when the expense is diminutive. A member must return to the District any portion of an expense advance not used. Members must submit an itemized, signed voucher to support any expense advanced or to seek expense reimbursement. The voucher must show the amount of actual expense, attaching receipts if possible. A Board member submitting a bill for a group function should record participating members' names on the receipt. Money shall not be advanced or reimbursed for: (1) the expenses of any person except the School Board member, or (2) anyone's personal expenses.

The Superintendent shall review the submitted vouchers for compliance with this policy. If any voucher's compliance appears uncertain, the Superintendent shall notify the Board President, or Vice President if the voucher in question is from the President, as well as the Board member who submitted the voucher.

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.

Registration

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

Transportation

The least expensive transportation will be used, providing that no hardship will be caused to the Board member. School Board members will be reimbursed for:

1. Air travel at the coach or single class commercial airline rate. First class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense voucher. Copies of airline tickets must be attached to the expense voucher.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets will be attached to the expense voucher to substantiate amounts.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare.

Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.

4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense voucher.
5. Taxis, airport limousines, or other local transportation costs.

Hotel/Motel Charges

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

Meal Charges

Meal charges to the School District should represent "mid-fare" selections for the hotel/meeting facility or general area and generally should not exceed the current GSA per diem. Tips are included with the meal charges. Expense vouchers must explain the meal charges incurred.

Miscellaneous Expenses

School Board members may include any other costs related to Board activities on expense vouchers.

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

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

ADOPTED: September 18, 2003

Revised: December 15, 2016

School Board

2:120 Board-Superintendent Relationship

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

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

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

CROSS REF.: 3:40 (Superintendent)

ADOPTED: October 15, 1998

School Board

2:135 Board Member Media Communications

An individual Board member will refrain from issuing statements, news releases, or communiqués to any person representing area media communications. The Board President and/or the Superintendent shall be spokesperson with area media for the Board when so directed by the Board.

Adopted: November 19, 1981

School Board

2:140 Communications to and from the Board

Staff members, parents, and community members should submit questions or communications to the School Board through the Superintendent. Board members' questions or communications to staff or about programs will be channeled through the Superintendent's office. If contacted individually, Board members will refer the person to the appropriate channel of authority, except in unusual situations. Board members will not take private action that might compromise the Board or administration.

Board Member Use of Electronic Mail

E-mail to, by, and between Board members, in their capacity as Board members, shall not be used to conduct Board business. It shall be limited to:

1. Disseminating information; and
2. Messages not involving deliberation, debate, or decision-making.

It may contain:

1. Agenda item suggestions;
2. Reminders regarding meeting times, dates, and places;
3. Board meeting agenda or public record information concerning agenda items; or
4. Responses to questions posed by the community, administrators, or school staff, subject to this policy's first section.

A Board member sending an e-mail concerning the District shall copy the Superintendent or designee, who shall store the message. There is no expectation of privacy for any messages sent or received by e-mail.

LEGAL REF.: 23 Ill. Admin. Code § 1.220.

CROSS REF.: 2:220 (School Board Meeting Procedure), 3:30 (Line and Staff Relations), 8:50 (Visitors to the Schools), 8:110 (Public Complaints)

ADOPTED: September 18, 2003

School Board

2:150 Committees

Board Committees

The School Board creates Board committees as the Board deems necessary. The Board President makes all Board committee appointments unless specifically stated otherwise. Notice of Board committee meetings shall be given in the same manner as notice for special meetings, and Board committee meetings shall be open to the public unless the topic for discussion is an item on which a public body may hold a closed session. Board committees report directly to the Board.

Special Board Committees

Special committees may be created for specific purposes or to investigate special issues. A special committee shall be automatically dissolved after presenting its final report to the Board or at the Board's discretion. Citizen advisory committees may be used to interpret school needs to the community and to gather information from the community.

Standing Board Committees

Standing committees are created for indefinite terms to fulfill continuing District needs for investigation and monitoring of specific issues. Standing committees are:

Parent-Teacher Advisory (Discipline)/Behavioral Interventions Committee. This committee assists in the development of student discipline policy and procedure. Its members are parents/guardians and teachers, and may include persons whose expertise or experience is needed. The committee reviews such issues as administering medication in the schools, reciprocal reporting between the School District and local law enforcement agencies regarding criminal offenses committed by students, student discipline, disruptive classroom behavior, school bus safety procedures, and the dissemination of student conduct information. This committee develops, implements, and monitors procedures for using behavioral interventions in accordance with Board policy 7:230, *Misconduct by Students with Disabilities*. The committee reports and makes recommendations to the School Board. In addition, this committee addresses security and safety.

Superintendent Committees

The Superintendent creates Superintendent committees as he or she deems necessary and makes all appointments. Superintendent committees report to the Superintendent.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.
Elementary and Secondary Education Act of 1965, 20 U.S.C. §6301 et seq.
Rules and Regulations for the Control of Communicable Diseases, issued by the Illinois Department of Public Health.
5 ILCS 120/1 et seq.
105 ILCS 5/10-20.14 and 10/1 et seq.
23 Ill. Admin. Code §226.115 and §226.350 et seq.

CROSS REF.: 2:240 (Board Policy Development), 5:40 (Communicable and Chronic Infectious Disease), 6:170 (Title I Program), 7:190 (Student Discipline), 7:230 (Misconduct by Students with Disabilities), 7:280 (Communicable and Chronic Infectious Disease)

ADOPTED: September 18, 2003

School Board

2:160 Board Attorney

The School Board may annually select an attorney to serve as legal advisor to the Board and the Superintendent.

The school attorney serves on a retainer or other fee arrangement as the School Board and attorney determine in advance.

The attorney will:

1. Serve as counselor to the School Board at all regular meetings and at special meetings when requested by the Superintendent or Board President;
2. Represent the District in any legal matter as requested by the School Board;
3. Provide written opinions on legal questions as requested by the Superintendent or Board President;
4. Approve, prepare, or supervise the preparation of legal documents and instruments and perform such other legal duties as the School Board may request; and
5. Be available for telephone consultation.

The School Board shall retain the right to consult or employ other attorneys on matters of special concern and to terminate the service of any attorney.

ADOPTED: October 15, 1998

School Board

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

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

The person or representative from the firm selected shall meet with the Superintendent and the School Board to discuss responsibilities and scope of services.

LEGAL REF.: Shively v. Belleville Township High School District 201, 769 N.E.2d 1062 (5th Dist., Ill. App. 2002), *appeal denied*.
40 U.S.C. § 541.
50 ILCS 510/0.01 et seq.
105 ILCS 5/10-20.21.

Adopted: October 15, 1998

School Board

2:190 Mailing Lists for Receiving Board Material

The Superintendent shall maintain a mailing list of the names and addresses each year of persons who file a written request to be on such a list. Those persons shall be mailed copies of the following, provided they have pre-paid the subscription fee, pro-rated if subscribing less than one year:

1. Board Agenda
2. Budgets
3. Audits
4. Official Board Minutes which will be mailed within 10 days after approval

The subscription fee will be set annually to cover reproduction and mailing costs. The subscription period shall be the same as the District's fiscal year.

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

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

ADOPTED: September 18, 2003

School Board

2:200 Types of School Board Meetings

General

For all meetings of the School Board and its committees, the Superintendent or designee shall satisfy all notice and posting requirements contained herein, as well as the Open Meetings Act. This shall include mailing meeting notifications to news media that have officially requested them, and to others as approved by the School Board. Unless otherwise specified, all meetings are held in the District administrative offices. Board members may attend meetings electronically as provided for in Policy 2:205.

The Superintendent is designated on behalf of the Board and each Board committee to receive the training on compliance with the Open Meetings Act that is administered by the Illinois Attorney General's Public Access Counselor. The Superintendent may identify other employees to receive the training. Each Board Member may also take the training once during his or her term.

Regular Meetings

The School Board announces the time and place for its regular meetings at the beginning of each fiscal year. The Superintendent shall prepare and make available the calendar of regular School Board meetings in accordance with The School Code. Meeting dates may be changed with 10 days' notice in accordance with State law. A meeting agenda shall be posted at the District administrative office and the Board meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting. Items not specifically on the agenda may still be considered during the meeting.

Closed Meetings

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

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity. 5 ILCS 120/2(c)(1).
2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
3. The selection of a person to fill a public office, as defined in this Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in this Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).
5. The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
6. The setting of a price for sale or lease of property owned by the public body. 5 ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).

8. Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff or public property. 5 ILCS 120/2(c)(8), as amended by P.A. 91-730.
9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
12. The establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).
13. Self-evaluation, practices and procedures, or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16).
14. Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).

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

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

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

Reconvened or Rescheduled Meetings

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

Special Meetings

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

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

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

Emergency Meetings

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

Posting on the District Website

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

LEGAL REF.: 5 ILCS 120/, Open Meeting Act.
 5 ILCS 140/, Freedom of Information Act.
 105 ILCS 5/10-6 and 5/10-16.

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

REVISED: January 21, 2010

School Board

2:225 Open Meetings Act

Closed Session “Verbatim Recordings”

Effective January 1, 2004, all closed sessions will be audio recorded in addition to the written meeting minutes. Closed sessions will begin by identifying the date and time of the meeting and identifying all members and guests present. Audio tapes will be maintained in a secure location by the superintendent, and destroyed in eighteen (18) months following board review and approval of written minutes, given no pending litigation or reasonable belief that the contents of the recording may be called in to question by court order.

A current board member, for purposes germane to the duties of his/her office, may review closed meeting audio recordings for meetings held during his/her term of office.

LEGAL REF: P.A. 93-0523

Open Meetings Act, Section 2.06

Adopted: December 18, 2003

School Board

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

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

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

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

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

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

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

ADOPTED: September 18, 2003

School Board

2:240 Board Policy Development

School Board governance requires written policies. Written policies ensure legal compliance, establish board processes, articulate District ends, delegate authority, and define operating limits. Board policies also provide the process for monitoring progress toward District ends.

Policy Development

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

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

Policy Adoption and Dissemination

Policies or policy revisions will not be adopted at the Board meeting at which they are first introduced, except when appropriate for a consent agenda because no Board discussion is required, or to meet emergency conditions or special events. Further Board consideration will be given at a subsequent meeting(s) and after opportunity for community input.

The School Board policies are available for public inspection in the administrative office during regular office hours. Copy requests should be made under the District's Access to Public Records Policy.

Board Policy Review and Evaluation

The School Board will monitor its policies and consider whether any modifications are required. The Board may use an annual policy review calendar.

Superintendent Implementation

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

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

Suspension of Policies

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

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

CROSS REF.: 2:150 (Committees), 3:40 (Superintendent)

ADOPTED: September 18, 2003

REVISED: April 21, 2005

School Board

2:250 Access to District's Public Records

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

Freedom of Information Officer

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

Definition

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

Requesting Records

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

Responding to Requests

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

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

Within 5 business days after receipt of a request for access to a public record, the Freedom of Information Officer shall comply with or deny the request, unless the time for response is extended as specified in Section 3 of FOIA. The Freedom of Information Officer may extend the time for a response for up to 5 business days from the original due date. If an extension is needed, the Freedom of Information Officer shall: (1) notify the person making the request of the reason for the delay, and (2) either inform the person of the date on which a response will be made or agree with the person in writing on a compliance period.

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

Copying Fees

Persons making a request for copies of public records must pay any applicable copying fee. The Freedom of Information Officer shall, as needed, recommend a copying fee schedule for the Board's approval. Copying fees, except when fixed by statute, are reasonably calculated to reimburse the District's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. No fees shall be charged for the first 50 pages of black and white, letter or legal sized copies. No fee shall be charged for electronic copies other than the actual cost of the recording medium.

Access

The inspection and copying of a public record that is the subject of an approved access request is permitted at the District's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer.

Many public records are immediately available from the District's website including, but not limited to, a description of the District and the methods for requesting a public record.

Preserving Public Records

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

LEGAL REF.: 5 ILCS 140/, Illinois Freedom of Information Act.
 105 ILCS 5/10-16.
 820 ILCS 130/5.

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

AMENDED: January 21, 2010

School Board

2:260 Uniform Grievance Procedure

Students, parents, guardians, employees, or community members should notify any District Complaint Manager if they believe that the School Board, its employees, or agents have violated their rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding:

1. Title II of the Americans with Disabilities Act;
2. Title IX of the Education Amendments of 1972;
3. Section 504 of the Rehabilitation Act of 1973;
4. Individuals With Disabilities Education Act, 20 U.S.C. § 1400 et seq.;
5. Title VI of the Civil Rights Act, 42 U.S.C. § 2000d et seq.;
6. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. § 2000e et seq.;
7. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972);
8. The misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children;
9. Curriculum, instructional materials, programs; or
10. Provision of services to homeless students.

The Complaint Manager will attempt to resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

1. 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 sex. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with the parent(s)/guardian(s) of a student. The Complaint Manager shall assist the Complainant as needed.

2. Investigation

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

Within 10 school days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Superintendent, the written report shall be filed with the School Board, which will make a decision in accordance with Section 3 of this policy. The Superintendent will keep the Board informed of all complaints.

3. Decision and Appeal

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

Within 5 school days after receiving the Superintendent's decision, the Complainant may appeal the decision to the School 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 School Board. Within 10 school days, the School Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information for the Board. Within 5 school days of the Board's decision, the Superintendent shall inform the Complainant of the Board's action. The Complainant may appeal the School Board's decision to the Regional Superintendent pursuant to Section 3-10 of The School Code and, thereafter, to the State Superintendent pursuant to Section 2-3.8 of The School Code.

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

Appointing Complaint Managers

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

Name	<u>Peggy K. Burke</u>	<u>Nathan Rakers</u>
Address	<u>111 Warrior Way</u>	<u>2028 Lebanon Ave</u>
	<u>Belleville, Illinois 62221</u>	<u>Belleville, Illinois 62221</u>
Telephone No.	<u>618 239-0000</u>	<u>618 239-0000</u>

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.
 Americans With Disabilities Act, 42 U.S.C. § 12101 et seq.
 Equal Pay Act, 29 U.S.C. § 206(d).
 Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
 Individuals With Disabilities Education Act, 20 U.S.C. § 1400 et seq.
 McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq.
 Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq.
 Title VI of the Civil Rights Act, 42 U.S.C. § 2000d et seq.
 Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. § 2000e et seq.
 Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq.
 775 ILCS 5/1-101 et seq.
 105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-22.5, 5/22-19, 5/24-4, 5/27.1, and 45/1-15.
 23 Ill. Admin. Code §§ 1.240 and 200-40.

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

ADOPTED: September 18, 2003