



LINCOLNWOOD SCHOOL DISTRICT 74
 BOARD OF EDUCATION
 POLICY COMMITTEE MEETING AGENDA
 FRIDAY, JANUARY 21, 2022 AT **8:30 AM**

BOARD OF EDUCATION
Kevin Daly, President
Elaina Geraghty, Vice President
John P. Vranas, Secretary
Myra A. Foutris
Jay Oleniczak
Rupal Shah Mandal
Peter D. Theodore

ADMINISTRATION
Dr. Kimberly A. Nasshan, Superintendent of Schools
Dr. David Russo, Assistant Superintendent for Curriculum and Instruction
Courtney Whited, Business Manager/CSBO

*Agenda of the Policy Committee Meeting of the Board of Education of Lincolnwood School District 74,
 Cook County, Illinois, to be held in the Marvin Garlich Administration Building
 6950 N. East Prairie Road
 Lincolnwood, Illinois 60712,
 on Friday, January 21, 2022.*

IN-PERSON PARTICIPATION: It is expected that all members of the Policy Committee, plus several administrators, will be physically present at the Marvin Garlich Administration Building located at 6950 N. East Prairie Road, Lincolnwood, IL. The public is welcome.

1. CALL TO ORDER/ROLL CALL

POLICY COMMITTEE MEMBERS

- Rupal Shah Mandal (BOE), Chair
- Myra A. Foutris (BOE), Co-Chair
- Becky Klinghofer, Community Member
- Aaron M. LaRue, Community Member
- Melissa Theodore, Community Member

ADMINISTRATOR/STAFF

- Dr. Kimberly A. Nasshan, Superintendent of Schools
- Renee Tolnai, Administrative Assistant

2. AUDIENCE TO VISITORS

3. APPROVAL OF MINUTES

- a. Policy Committee Meeting Minutes - **DECEMBER 17, 2021**

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Motion by member: _____ Seconded by: _____

4. OLD BUSINESS

- a. Legal Counsel's Response on Quorum Requirements at the Committee Level

5. NEW BUSINESS

- a. New Press Plus Issue #108 (November 2021)

- I. Press Plus Issue #108 - Draft Update

- 1. 5:20 Workplace Harassment Prohibited 6
- 2. 5:30 Hiring Process and Criteria 9
- 3. 5:50 Drug-and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition 12

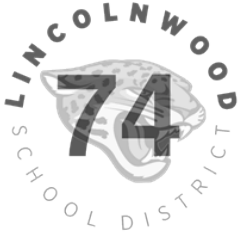
4.	5:90 Abused and Neglected Child Reporting	15
5.	6:15 School Accountability	18
6.	6:20 School Year Calendar and Day	19
7.	6:50 School Wellness	
8.	6:60 Curriculum Content	
9.	7:10 Equal Educational Opportunities	
10.	5:200 Terms and Conditions of Employment and Dismissal	
11.	5:220 Substitute Teachers	
12.	5:250 Leaves of Absence	
13.	5:330 Sick Days, Vacation, Holidays, and Leaves	
14.	6:120 Education of Children with Disabilities	
15.	6:135 Accelerated Placement Program	
16.	6:340 Student Testing and Assessment Program	
17.	7:150 Government Agency and Law Enforcement Interviews of Students at School	
18.	7:160 Student Appearance	
19.	7:180 Prevention of and Response to Bullying, Intimidation, and Harassment	
20.	7:190 Student Behavior	

6. ADJOURNMENT

Motion by member: _____ Seconded by: _____

Dr. Kimberly A. Nasshan, Superintendent of Schools

Lincolnwood School District 74 is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or facility, are requested to contact the District Office at 847-675-8234 promptly to allow Lincolnwood School District 74 to make reasonable accommodations for those persons.



LINCOLNWOOD SCHOOL DISTRICT 74
BOARD OF EDUCATION
POLICY COMMITTEE MEETING MINUTES
FRIDAY, DECEMBER 17, 2021 AT **8:30 AM**

BOARD OF EDUCATION
Kevin Daly, *President*
Elaina Geraghty, *Vice President*
John P. Vranas, *Secretary*
Myra A. Foutris
Jay Oleniczak
Rupal Shah Mandal
Peter D. Theodore

ADMINISTRATION
Dr. Kimberly A. Nasshan, *Superintendent of Schools*
Dr. David Russo, *Assistant Superintendent for Curriculum and Instruction*
Courtney Whited, *Business Manager/CSBO*

*Minutes of the Policy Committee Meeting of the Board of Education of Lincolnwood School District 74, Cook County, Illinois, was held in the Marvin Garlich Administration Building
6950 N. East Prairie Road
Lincolnwood, Illinois 60712,
on Friday, December 17, 2021.*

1. CALL TO ORDER/ROLL CALL

Chair Shah Mandal called the Policy Committee meeting to order at 8:35 a.m.

POLICY COMMITTEE MEMBERS

Rupal Shah Mandal (BOE), Chair
Myra A. Foutris (BOE), Co-Chair
Melissa Theodore, Community Member

POLICY COMMITTEE MEMBERS NOT PRESENT

Becky Klinghofer, Community Member
Aaron M. LaRue, Community Member

ADMINISTRATOR/STAFF

Dr. Kimberly A. Nasshan, Superintendent of Schools
Renee Tolnai, Administrative Assistant

2. AUDIENCE TO VISITORS

None

3. APPROVAL OF MINUTES

a. Policy Committee Meeting Minutes - **NOVEMBER 12, 2021**

A motion was made, seconded and passed to approve the December 17, 2021 Policy Committee meeting minutes.

4. OLD BUSINESS

Superintendent Nasshan reviewed Lincolnwood School District 74's student accident insurance with regards to Board of Education Policy 4:100.

5. NEW BUSINESS

Chair Shah Mandal requested that Administration consult with Legal Counsel to confirm if an official quorum is required at Committee level meetings.

a. New Press Plus Issue #108 (November 2021)

I. Press Plus Issue #108 - 5-Year Review

1. 4:120 Food Services

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

2. 8:100 Relations with Other Organizations and Agencies

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

II. Press Plus #108 - Draft Update

1. 2:20 Powers and Duties of the Board of Education; Indemnification

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

2. 3:40 Superintendent

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

3. 3:50 Administrative Personnel Other Than the Superintendent

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

4. 3:60 Administrative Responsibility of the Building Principal

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

5. 4:60 Purchases

The Committee sent this policy to 1st Reading on the January 6, 2022 Lincolnwood School District 74 Board of Education meeting agenda.

6. 5:10 Equal Employment Opportunity and Minority Recruitment

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

7. 2:105 Ethics and Gift Ban

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

8. 2:110 Qualifications, Term, and Duties of Board Officers

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

9. 2:120 Board Member Development

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

10. 2:220 Board of Education Meeting Procedure

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

11. 2:260 Uniform Grievance Procedure

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

12. 4:160 Environmental Quality of Buildings and Grounds

The Committee sent this policy to 1st Reading on the January 6, 2022 Lincolnwood School District 74 Board of Education meeting agenda.

13. 4:170 Safety

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

14. 4:175 Convicted Child Sex Offender; Screening; Notifications

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

15. 5:100 Staff Development Program

The Committee sent this policy to 1st Reading on the January 6, 2022 Lincolnwood School District 74 Board of Education meeting agenda.

16. 5:120 Employee Ethics; Conduct; and Conflict of Interest

The Committee sent this policy to 1st Reading on the January 6, 2022 Lincolnwood School District 74 Board of Education meeting agenda.

17. 5:125 Personal Technology and Social Media; Usage and Conduct

The Committee sent this policy to 1st Reading on the January 6, 2022 Lincolnwood School District 74 Board of Education meeting agenda.

18. 5:150 Personnel Records

The Committee sent this policy to 1st Reading on the January 6, 2022 Lincolnwood School District 74 Board of Education meeting agenda.

19. 5:185 Family and Medical Leave

The Committee sent this policy to the January 6, 2022 Lincolnwood School District 74 Board of Education meeting Consent Agenda.

6. ADJOURNMENT

A motion was made, seconded and passed to adjourn the Policy Committee meeting at 8:56 a.m. The next Policy Committee meeting scheduled for Friday, January 21, 2022 at 8:30 a.m. The public is welcome.

Rupal Shah Mandal, Chair

Myra A. Foutris, Co-chair

PRESS PLUS ISSUE #108 NOVEMBER 2021

POLICY COMMITTEE MEETING JANUARY 21, 2022

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

Document Status: Draft Update

General Personnel

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, PRESSPlus1 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*; 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.

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

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 which 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. Employees 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 and Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

Nondiscrimination Coordinator:

David Russo, Assistant Superintendent Curriculum and Instruction

District Office

6950 N. East Prairie Rd., Lincolnwood, IL 60712

drusso@sd74.org

847-675-8234

Complaint Managers

David Russo, Assistant Superintendent Curriculum and Instruction

Erin Curry, Principal

District Office

Rutledge Hall

6950 N. East Prairie Rd., Lincolnwood, IL 60712

6850 N. East Prairie Road , Lincolnwood, IL 60712

drusso@sd74.org

ecurry@sd74.org

847-675-8234

847-675-8236

Investigation Process

Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination 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 Nondiscrimination Coordinator or designee shall consider whether action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, should be initiated.

For any other alleged workplace harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policy 2:260, *Uniform Grievance Procedure*, and/or 5:120, *Employee Ethics; 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 policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, or 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, invitee, etc. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee 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 policy 2:260, *Uniform Grievance Procedure*), 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 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.:

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

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

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

~~Ill. Human Rights 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.

Burlington Industries v. Ellerth, 524 U.S. 742 (1998).

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

Crawford v. Metro. Gov't of Nashville & Davidson County, 555 U.S. 271 (2009).

Faragher v. City of Boca Raton, 524 U.S. 775 (1998).

Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).

Harris v. Forklift Systems, 510 U.S. 17 (1993).

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

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).

Oncale v. Sundowner Offshore Services, 523 U.S. 75 (1998).

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

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

Vance v. Ball State University, 133 S. Ct. 2434 (2013).

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

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

ADOPTED: September 10, 2002

REVISED: October 1, 2020

PRESSPlus Comments

PRESSPlus 1. 775 ILCS 5/2-102(A), amended by P.A. 102-233. *Work authorization status* means the status of being a person born outside of the United States, and not a U.S. citizen, who is authorized by the federal government to work in the United States. 775 ILCS 5/2-101(L), added by P.A. 102-233. Under the Ill. Human Rights Act, it is a civil rights violation for an employer to refuse to honor a legal work authorization; however, employers are not required to sponsor any applicant or employee to obtain or modify work authorization status, unless required by federal law. 775 ILCS 5/2-102(G), amended by P.A. 102-233; 775 ILCS 5/2-104(D), added by P.A. 102-233. **Issue 108, November 2021**

PRESS PLUS ISSUE #108 NOVEMBER 2021

POLICY COMMITTEE MEETING JANUARY 21, 2022

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

Document Status: Draft Update

General Personnel

5:30 Hiring Process and Criteria

The District hires the most qualified personnel consistent with budget and staffing requirements and in compliance with Board of Education policy on equal employment opportunity and minority recruitment. The Superintendent is responsible for recruiting personnel and making hiring recommendations to the Board. If the Superintendent's recommendation is rejected, the Superintendent must submit another. The Superintendent may select personnel on a short-term basis for a specific project or emergency condition before the Board of Education's approval. No individual will be employed who has been convicted of a criminal offense listed in [105 ILCS 5/21B-80\(c\)](#). [PRESSPlus1](#)

Applicants must complete a District application form in order to be considered for employment.

Job Descriptions

The Board maintains the Superintendent's job description and directs, through policy, the Superintendent, in his or her charge of the District's administration.

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

Investigations

The Superintendent or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law. When the applicant is a successful superintendent candidate who has been offered employment by the Board, the Board President shall ensure that these checks are completed. The Superintendent or designee, or if the applicant is a successful superintendent candidate, then the Board President shall notify an applicant if the applicant is identified in either database. The School Code requires the Board President to keep a conviction record confidential and share it only with the Superintendent, North Cook Intermediate Service Center, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, ~~or for purposes of clarifying the information,~~ the Ill. Dept. of State Police and/or Statewide Sex Offender Database for purposes of clarifying the information, and/or the Teachers' Retirement System of the State of Illinois when required by law. [PRESSPlus2](#) The Board reserves its right to authorize additional background inquiries beyond a fingerprint-based criminal history records check when it deems it appropriate to do so, in accordance with applicable laws.

Each newly hired employee must complete a U.S. Citizenship and Immigration Services Form as required by federal law.

The District retains the right to discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in [105 ILCS 5/21B-80](#) or who falsifies, or omits facts from, his or her employment application or other employment documents. If an indicated finding of abuse or neglect of a child has been issued by the Ill. Department of Children and Family Services or by a child welfare agency of another jurisdiction for any applicant for student teaching, applicant for employment, or any District employee, then the Board must consider that person's status as a condition of employment.

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

1. The District uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. The District does not screen applicants based on their current or prior wages or salary histories, including benefits or other compensation, by requiring that the wage or salary history satisfy minimum or maximum criteria.
3. The District does not request or require a wage or salary history as a condition of being considered for employment, being interviewed, continuing to be considered for an offer of employment, an offer of employment, or an offer of compensation.
4. The District does not request or require an applicant to disclose wage or salary history as a condition of employment.
5. The District does not ask an applicant or applicant's current or previous employers about wage or salary history, including benefits or other compensation, unless the applicant's wage or salary history is a matter of public record, or is contained in a document completed by the applicant's current or former employer and then made available to the public by the employer, or then submitted or posted by the employer to comply with State or federal law; or the applicant is a current employee applying for a position with the same current employer.

6. The District does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act.
7. The District does not request of an applicant or employee access in any manner to his or her personal online account, such as social networking websites, including a request for passwords to such accounts.
8. The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

Physical Examinations

Each new employee must furnish evidence of physical fitness to perform assigned duties and freedom from communicable disease. The physical fitness examination must be performed by a physician licensed in Illinois, or any other state, to practice medicine and surgery in any of its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination performed no more than 90 days before submitting evidence of it to the District.

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

Orientation Program

The District's staff will provide an orientation program for new employees to acquaint them with the District's policies and procedures, the school's rules and regulations, and the responsibilities of their position. Before beginning employment, each employee must sign the *Acknowledgement of Mandated Reporter Status* form as provided in policy 5:90, *Abused and Neglected Child Reporting*.

LEGAL REF.:

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

15 U.S.C. § 1681 et seq., Fair Credit Reporting Act.

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

105 ILCS 5/10-16.7, 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/10-22.34, 5/10-22.34b, 5/21B-10, 5/21B-80, 5/21B-85, 5/10-22.34, 5/10-22.34b, 5/22-6.5, and 5/24-5.

20 ILCS 2630/3.3, Criminal Identification Act.

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

820 ILCS 70/, Employee Credit Privacy Act.

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

Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.

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

Duldulao v. St. Mary of Nazareth Hospital, 136 Ill. App. 3d 763 (1st Dist. 1985), *aff'd in part and remanded* 115 Ill.2d 482_(Ill. 1987).

Kaiser v. Dixon, 127 Ill. App. 3d 251 (2nd Dist. 1984).

Molitor v. Chicago Title & Trust Co., 325 Ill. App. 124 (1st Dist. 1945).

CROSS REF.: 3:50 (Administrative Personnel Other than the Superintendent), 4:175 (Convicted Child Sex Offender; Criminal Background Check and/or Screen; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:220 (Substitute Teachers), 5:280 (Duties and Qualifications)

ADOPTED: September 10, 2002

REVISED: October 7, 2021

REVIEWED: October 7, 2021

PRESSPlus Comments

PRESSPlus 1. For additional information regarding implementation of 775 ILCS 5/2-103.1, added by P.A. 101-656 (employment decisions based on conviction records), see footnotes 5 and 6 of the sample policy, available at **PRESS** Online by logging in at www.iasb.com. Footnote 5 is updated in response to the Ill. Human Rights Act (IHRA), 775 ILCS 5/2-103.1(c), added by P.A. 101-656, with a discussion regarding application of the IHRA's *interactive assessment* requirement for disqualifying offenses listed in 105 ILCS 5/21B-80, and footnote 6 is updated in response to Ill. Dept. of Human Rights (IDHR) guidance for implementation of 775 ILCS 5/2-103.1, added by P.A. 101-656, at: www2.illinois.gov/dhr/Pages/Conviction_Record_Protection_Frequently_Asked_Questions.aspx. **Issue 108, November 2021**

PRESSPlus 2. 105 ILCS 5/21B-85, amended by P.A. 102-552, requires a board to provide prompt written notice to the board of trustees of the Teachers' Retirement System of the State of Illinois (TRS) when it learns that any teacher has been convicted of a felony offense (which provides for a sentence of death or imprisonment for one year or more). The notice to TRS is limited to (1) the name of the license holder, (2) fact of conviction, (3) name and location of the court in which the conviction occurred, and (4) the assigned case number from the court. **Issue 108, November 2021**

PRESS PLUS ISSUE #108 NOVEMBER 2021

POLICY COMMITTEE MEETING JANUARY 21, 2022

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

Document Status: Draft Update

General Personnel

5:50 Drug-and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition

All District workplaces are drug- and alcohol-free workplaces.

All employees are prohibited from engaging in any of the following activities while on District premises or while performing work for the District:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance, or being impaired by or under the influence of any illegal substance or any detectible use of any illegal substance regardless of when or where the use occurred.
2. Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage; being present on District premises or while performing work for the District when alcohol consumption is detectible, regardless of when and/or where the use occurred.
3. Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis; being present on District premises or while performing work for the District when impaired by or under the influence of cannabis, regardless of when and/or where the use occurred, unless distribution, possession, and/or use is by a school nurse or school administrator pursuant to *Ashley's Law*, [105 ILCS 5/22-33](#). The District considers employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests the specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position listed in the Cannabis Regulation and Tax Act (CRTA).

Upon the Superintendent or designee's reasonable suspicion of an employee's violation of any of the prohibited activities stated above, the Superintendent or designee may direct the employee to undergo a drug and/or alcohol test to corroborate or refute the alleged violation. [PRESSPlus1](#) State law protects the District from liability when it takes actions pursuant to a reasonable workplace drug policy, including but not limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test. [PRESSPlus2](#)

For purposes of this policy a controlled substance means a substance that is:

1. Not legally obtainable,
2. Being used in a manner different than prescribed,
3. Legally obtainable, but has not been legally obtained, or
4. Referenced in federal or State controlled substance acts.

For purposes of this policy, *District premises* means workplace as defined in the Cannabis Regulation and Tax Act (CRTA) in addition to District and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a School Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. *School grounds* means the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground, designated school bus stops where students are waiting for the school bus, and school-sponsored or school-sanctioned events or activities. "Vehicles used for school purposes" means school buses or other school vehicles.

As a condition of employment, each employee shall:

1. Abide by the terms of the this Board policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five calendar days after such a conviction.

Unless otherwise prohibited by this policy, prescription and over-the-counter medications are not prohibited when taken in standard dosages and/or according to prescriptions from the employee's licensed health care provider, provided that an employee's work performance is not impaired.

To make employees aware of the dangers of drug and alcohol abuse, the Superintendent or designee shall perform each of the following:

1. Provide each employee with a copy of this policy.

2. Post notice of this policy in a place where other information for employees is posted.
3. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations.
4. Enlist the aid of community and State agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees.
5. Establish a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace,
 - b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
 - c. The penalties that the District may impose upon employees for violations of this policy.
6. Remind employees that policy 6:60, *Curriculum Content*, requires the District to educate students, depending upon their grade, about drug and substance abuse prevention and relationships between drugs, alcohol, and violence.

E-Cigarette, Tobacco, and Cannabis Prohibition

All employees are covered by the conduct prohibitions contained in policy 8:30, *Visitors to and Conduct on School Property*. The prohibition on the use of e-cigarettes, tobacco, and cannabis products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event's location.

Tobacco shall have has the meaning provided in 105 ILCS 5/10-20.5b.

Cannabis shall have has the meaning provided in the CRTA, 410 ILCS 705/1-10.

E-Cigarette is short for electronic cigarette and shall have the meaning provided in the Prevention of Tobacco Use by Minors and Sale and Distribution of Tobacco Products Act, [720 ILCS 675/1](#)(a-9).

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. In addition or alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse rehabilitation program.

The Board shall take disciplinary action with respect to an employee convicted of a drug offense in the workplace within 30 days after receiving notice of the conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a State contract or grant of \$5,000 or more, the Superintendent shall notify the appropriate State or federal agency from which the District receives contract or grant monies of the employee's conviction within 10 days after receiving notice of the conviction.

Disclaimer

The Board reserves the right to interpret, revise or discontinue any provision of this policy pursuant to the **Suspension of Policies** subhead in policy 2:240, *Board Policy Development*.

LEGAL REF.:

[42 U.S.C. §12114](#), Americans With Disabilities Act, [42 U.S.C. §12114](#).

[21 U.S.C. §812](#); [21 C.F.R. §1308.11-1308.15](#), Controlled Substances Act, [21 U.S.C. §812](#); [21 C.F.R. §1308.11-1308.15](#).

[41 U.S.C. §8101 et seq.](#), Drug-Free Workplace Act of 1988, [41 U.S.C. §8101 et seq.](#)

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

[30 ILCS 580/](#), Drug-Free Workplace Act.

[105 ILCS 5/10-20.5b](#).

[410 ILCS 82/](#), Smoke Free Illinois Act.

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

[410 ILCS 705/1-1 et seq.](#), Cannabis Regulation and Tax Act.

[720 ILCS 675](#), Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act.

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

[21 C.F.R. Parts 1100, 1140, and 1143](#).

[23 Ill.Admin.Code §22.20.](#)

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: December 9, 2015

REVISED: February 6, 2020

REVIEWED: February 6, 2020

PRESSPlus Comments

PRESSPlus 1. 410 ILCS 705/10-50(d). If the board will not communicate to employees what will happen when reasonable suspicion exists, strike this sentence and select "Adopted with Additional District Edits" as the Save Status. **Issue 108, November 2021**

PRESSPlus 2. 410 ILCS 705/10-50(e)(1), amended by P.A. 101-593, protects the district from liability for actions described in this sentence. If the board will not communicate this information to its employees, strike this sentence and select "Adopted with Additional District Edits" as the Save Status. **Issue 108, November 2021**

PRESS PLUS ISSUE #108 NOVEMBER 2021

POLICY COMMITTEE MEETING JANUARY 21, 2022

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 5 - Personnel \ General Personnel \

Document Status: Draft Update

General Personnel

5:90 Abused and Neglected Child Reporting

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child shall: (1) immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any District employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Superintendent or Building Principal that a report has been made. The Superintendent or designee shall notify local law enforcement. Negligent failure to report occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

Any District employee who discovers child pornography on electronic and information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's CyberTipline 1-800-THE-LOST (1-800-843-5678) or online at report.cybertip.org/ or www.missingkids.org. The Superintendent or Building Principal shall also be promptly notified of the discovery and that a report has been made.

Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.

Abused and Neglected Child Reporting Act (ANCRA), School Code, and Erin's Law Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect.

All District employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.
3. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors, and boundary violations as required by law and policy 5:100, Staff Development Program. [PRESSPlus1](#) ~~The Superintendent will encourage all District educators to complete continuing professional development that addresses the traits and identifiers that may be evident in students who are victims of child sexual abuse, including recognizing and reporting child sexual abuse and providing appropriate follow-up and care for abused students as they return to the classroom setting.~~

The Superintendent or designee will display DCFS-issued materials that list the DCFS toll-free telephone number and methods for making a report under ANCRA in a clearly visible location in each school building.

Alleged Incidents of Sexual Abuse; Investigations

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in [720 ILCS 5/11-9.1A](#), 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.

If a District employee reports an alleged incident of sexual abuse to DCFS and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC). The Superintendent or designee will implement procedures to coordinate with the CAC.

DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with

policy 7:20, *Harassment of Students Prohibited*.

Special Superintendent Responsibilities

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

~~The Superintendent shall notify the State Superintendent and the Intermediate Service Center Executive Director in writing~~
When the Superintendent he or she has reasonable cause to believe that a license holder committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA, and that act resulted in the license holder's dismissal or resignation from the District, he or she shall notify the State Superintendent and the Intermediate Service Center Executive Director in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged was dismissed or resigned from the District as a result of an act that made a child an abused or neglected child. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

Special School Board Member Responsibilities

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

If the Board determines that any District employee, other than an employee licensed under [105 ILCS 5/21B](#), has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Board may dismiss that employee immediately.

When the Board learns that a licensed teacher was convicted of any felony, it must promptly report it to the State agencies listed in policy 2:20, *Powers and Duties of the Board of Education; Indemnification*. [PRESSPlus2](#)

LEGAL REF.:

[20 U.S.C. §7926, Elementary and Secondary Education Act.](#)

[105 ILCS 5/10-21.9, 5/10-23.13, and 5/21B-85.](#)

[20 ILCS 1305/1-1 et seq.](#), Department of Human Services Act.

[325 ILCS 5/](#), Abused and Neglected Child Reporting Act.

[720 ILCS 5/12C-50.1](#), Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the Board of Education; Indemnification), [3:40 \(Superintendent\)](#), [3:50 \(Administrative Personnel Other Than the Superintendent\)](#), [3:60 \(Administrative Responsibility of the Building Principal\)](#), [4:165 \(Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors\)](#), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Terminations and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

ADOPTED: January 12, 2016

REVISED: February 6, 2020

REVIEWED: February 6, 2020

PRESSPlus Comments

PRESSPlus 1. *Erin's Law*, 105 ILCS 5/10-23.13, amended by P.A. 102-610. For additional *Erin's Law* requirements and definitions, see policies 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Conduct; and Conflict of Interest*; and 6:60, *Curriculum Content*. See also the footnotes of these policies at **PRESS** Online by logging in at [www.iasb.com](#). **Issue 108, November 2021**

PRESSPlus 2. 105 ILCS 5/21B-85(a) and (b), amended by P.A. 102-552. Because felony charges often arise out of abuse and neglect investigation, this board duty is listed here for convenience. See policy 2:20, *Powers and Duties of the School Board*;

Indemnification for more information. **Issue 108, November 2021**

PRESS PLUS ISSUE #108 NOVEMBER 2021

POLICY COMMITTEE MEETING JANUARY 21, 2022

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 6 - Instruction \

Document Status: Draft Update

Instruction

6:15 School Accountability

According to the Illinois General Assembly, the primary purpose of schooling is the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work. To fulfill that purpose, the Ill. State Board of Education (ISBE) prepared State Goals for Learning with accompanying Illinois Learning Standards.

The Board of Education gives priority in the allocation of resources, including funds, time, personnel, and facilities, to fulfilling this purpose.

Quality Assurance

The Board continuously monitors student achievement and the quality of the District's work. The Superintendent shall supervise the following quality assurance components, in accordance with State law and ISBE rules, and continuously keep the Board informed:

1. Prepare each school's annual recognition application and quality assurance appraisal, whether internal or external, to assess each school's continuous school improvement.
2. Continuously assess the District's and each school's overall performance in terms of both academic success and equity. This includes, without limitation, a thorough analysis of ISBE's balanced accountability measure and each school's Multiple Measure Index and corresponding Annual Measurable Objective provided by ISBE.
3. If applicable, develop District and School Improvement Plans, present them for Board approval, and supervise their implementation.
4. Prepare a school report card, present it at a regular Board meeting, and disseminate it as provided in State law.
5. In accordance with [105 ILCS 5/2-3.153](#), annually administer a climate survey on the instructional environment within the school to, at minimum, students in grades 4 through 8 and teachers.

The Superintendent shall make regular assessment reports to the Board, including projections whether the District and each school is or will be making adequate yearly progress as defined in State law. The Superintendent shall seek Board approval for each District and/or school improvement plan and otherwise when necessary or advisable.

LEGAL REF.:

[105 ILCS 5/2-3.25](#), [5/2-3.25a](#), [5/2-3.25b](#), [5/2-3.25c](#), [5/2-3.25d-5](#), [5/2-3.25e-5](#), [5/2-3.25f](#), [5/2-3.25f-5](#), [5/2-3.63](#), [5/2-3.64a-5](#), [5/2-3.153](#), [5/10-17a](#), [PRESSPlus1 5/10-21.3a](#), and [5/27-1](#).

[23 Ill.Admin.Code Part 1, Subpart A](#): Recognition Requirements.

CROSS REF.: 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program), 7:10 (Equal Educational Opportunities)

ADOPTED: January 12, 2016

REVISED: April 4, 2019

REVIEWED: April 4, 2019

PRESSPlus Comments

PRESSPlus 1. 105 ILCS 5/10-17a, amended by P.A.s 101-68, 102-294, eff. 1-1-22 (data on the number of incidents of violence that occurred on school grounds or during school-related activities and that resulted in an out-of-school suspension, expulsion, or removal to an alternative setting), 102-594, eff. 7-1-22 (the number of teachers who are National Board Certified Teachers, disaggregated by race and ethnicity), and 102-539 (school report card deliveries delayed until 12-31 in years when the Governor declares a public health emergency). **Issue 108, November 2021**

PRESS PLUS ISSUE #108 NOVEMBER 2021

POLICY COMMITTEE MEETING JANUARY 21, 2022

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 6 - Instruction \

Document Status: Draft Update

Instruction

6:20 School Year Calendar and Day

School Calendar

The Board of Education, upon the Superintendent's recommendation and subject to State regulations, annually establishes the dates for opening and closing classes, teacher institutes and in-services, the length and dates of vacations, and the days designated as legal school holidays. The school calendar shall have a minimum of 185 days to ensure 176 days of actual student attendance.

Commemorative Holidays

The teachers and students shall devote a portion of the school day on each commemorative holiday designated in the School Code to study and honor the commemorated person or occasion. The Board of Education may, from time to time, designate a regular school day as a commemorative holiday.

School Day

Please refer to the current "Agreement between the Board of Education, School District #74, Lincolnwood, Illinois, and the Lincolnwood Teacher's Association, Local 1274 IFT/AFT, AFL-CIO and the Lincolnwood Support Staff Union, Local 1274 IFT/AFT, AFL-CIO for additional information, if applicable."

The Board of Education establishes the length of the school day with the recommendation of the Superintendent and subject to State law requirements.

LEGAL REF.:

[105 ILCS 5/10-19](#), [5/10-19.05](#), [5/10-20.56](#), [5/10-24.46](#), [5/10-30](#), [5/18-12](#), [5/18-12.5](#), [5/24-2](#), [5/27-3](#), [5/27-18](#), [5/27-19](#), [5/27-20](#), [5/27-20.1](#), [5/27-20.2](#), and [20/1](#).

[10 ILCS 5/11-4.1](#).

[5 ILCS 490/](#), State Commemorative Dates Act, [PRESSPlus1](#)

[23 Ill.Admin.Code §1.420\(f\)](#).

Metz v. Leininger, 850 F.Supp. 740 (N.D. Ill. 1994), *aff'd* by 57 F.3d 618 (7th Cir. 1995).

CROSS REF.: 2:20 (Powers and Duties of the Board of Education; Indemnification), 4:180 (Pandemic Preparedness; Management; and Recovery), 5:200 (Terms and Conditions of Employment and Dismissal), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: September 10, 2002

REVISED: September 2, 2021

REVIEWED: September 2, 2021

Comments: Brian Bare asked us to include for additional information, if applicable on all such policies 9/2/21

PRESSPlus Comments

PRESSPlus 1. The Legal References are updated. **Issue 108, November 2021**

PRESS PLUS ISSUE #108 NOVEMBER 2021

POLICY COMMITTEE MEETING JANUARY 21, 2022

LINCOLNWOOD SCHOOL DISTRICT 74 \ SECTION 6 - Instruction \

Document Status: Draft Update

Instruction

6:50 School Wellness

Student wellness, including good nutrition and physical activity, shall be promoted in the District's educational program, school-based activities, and meal programs. This policy shall be interpreted consistently with Section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 and the Healthy Hunger-Free Kids Act of 2010 (HHFKA).

The Superintendent will ensure:

1. Each school building complies with this policy;
2. The policy is available to the community on an annual basis through copies of or online access to the Board Policy Manual; and
3. The community is informed about the progress of this policy's implementation.

Goals for Nutrition Education and Nutrition Promotion

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

- Schools will support and promote sound nutrition for students.
- Schools will foster the positive relationship between sound nutrition, physical activity, and the capacity of students to develop and learn.
- Nutrition education will be part of the District's comprehensive health education curriculum. See Board policy 6:60, *Curriculum Content*.

Goals for Physical Activity

The goals for addressing physical activity include the following:

- Schools will support and promote an active lifestyle for students.
- Physical education will be taught in all grades and shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. See Board policies 6:60, *Curriculum Content* and Board policy 7:260, *Exemption from Physical Education*.
- During the school day, all students will be required to engage in a physical education course as required by Illinois Law, unless otherwise exempted. See Board policies 6:60, *Curriculum Content* [PRESSPlus1](#) and Board policy 7:260, *Exemption from Physical Education*.
- The curriculum will be consistent with and incorporate relevant *Illinois Learning Standards for Physical Development and Health* as established by the Illinois State Board of Education (ISBE).

Nutrition Guidelines for Foods Available During the School Day; Marketing Prohibited

Students will be offered and schools will promote nutritious food and beverage choices during the school day that are consistent with Board policy 4:120, *Food Services* (requiring compliance with the nutrition standards specified in the U.S. Dept. of Agriculture's (USDA) *Smart Snacks* rules).

In addition, in order to promote student health and reduce childhood obesity, the Superintendent or designee shall:

1. Restrict the sale of *competitive foods*, as defined by the USDA, in the food service areas during meal periods;
2. Comply with all ISBE rules; and
3. Prohibit marketing during the school day of foods and beverages that do not meet the standards listed in Board policy 4:120, *Food Services*, i.e., in-school marketing of food and beverage items must meet *competitive foods* standards.

Competitive foods standards do not apply to foods and beverages available, but not sold in school during the school day; e.g., brown bag lunches, foods for classroom parties, school celebrations, and reward incentives.

Exempted Fundraising Day (EFD) Requests

All food and beverages sold to students on the school campuses of participating schools during the school day must comply with the “general nutrition standards for competitive foods” specified in federal law.

ISBE rules prohibit EFDs for grades 8 and below in participating schools.

Guidelines for Reimbursable School Meals

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

Unused Food Sharing Plan[PRESSPlus2](#)

In collaboration with the District’s local health department, the Superintendent or designee will:

1. Develop and support a food sharing plan (Plan) for unused food that is focused on needy students.[PRESSPlus3](#)
2. Implement the Plan throughout the District.
3. Ensure the Plan complies with the Richard B. Russell National School Lunch Act, as well as accompanying guidance from the U.S. Department of Agriculture on the Food Donation Program.[PRESSPlus4](#)
4. Ensure that any leftover food items are properly donated to combat potential food insecurity in the District’s community. Properly means in accordance with all federal regulations and State and local health and sanitation codes.

Monitoring

Annually, the Superintendent shall provide implementation data and/or reports to the Board concerning this policy’s implementation sufficient to allow the Board to monitor and adjust the policy (a annual report). This annual report must include without limitation each of the following:

- An assessment of the District’s implementation of the policy
- The extent to which schools in the District are in compliance with the policy
- The extent to which the policy compares to model local school wellness policies
- A description of the progress made in attaining the goals of the policy
- How the District will make the results of the assessment available to the public
- Where the District will retain records of the assessment

The Board will monitor and adjust the policy pursuant to policy 2:240, *Board Policy Development*.

Community Involvement

The Board and Superintendent will actively invite suggestions and comments concerning the development, implementation, periodic reviews, and updates of the school wellness policy from parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the community. Community involvement methods shall align their suggestions and comments to policy 2:140, *Communications To and From the Board*.

Recordkeeping

The Superintendent shall retain records to document compliance with this policy, the District’s records retention protocols, and the Local Records Act.

LEGAL REF.:

~~Child Nutrition and WIC Reauthorization Act of 2004~~, Pub. L. 108-265, Sec. 204, Child Nutrition and WIC Reauthorization Act of 2004.

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

~~National School Lunch Act~~, 42 U.S.C. §1751 ~~et seq.~~, National School Lunch Act.

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

42 U.S.C. §1779, as implemented by 7 C.F.R. §§210.11 and 210.31.

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

105 ILCS 5/2-3.139.

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

ISBE's *School Wellness Policy* Goal, adopted Oct. 2007.

CROSS REF.: 2:140 (Communications To and From the Board), 2:150 (Committees), 2:240 (Board Policy Development), 4:120 (Food Services), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 7:260 (Exemption from Physical Education), 8:10 (Connection with the Community)

ADOPTED: May 30, 2006

REVISED: June 7, 2018

REVIEWED: June 7, 2018

Comments: The District is keeping Adopted date and only one Revised/Reviewed date for every policy

PRESSPlus Comments

PRESSPlus 1. Policy 6:50's sample text is based upon federal and State *goals* while sample policy 6:60, *Curriculum Content*'s text is based only upon State curriculum requirements that require a minimum of three days of physical education per five-day week (with an exception for schools engaged in block scheduling). Ensure the text in this policy's goal aligns with the district's practice stated in policy 6:60 for meeting the minimum requirements of 23 Ill.Admin.Code §1.425(b). If the board adopts changes to this policy's goal, enter the change, and use the save status "Adopted with Additional District Edits." **Issue 108, November 2021**

PRESSPlus 2. Updated in response to 105 ILCS 5/2-3.182, added by P.A. 102-359. Food sharing plans will depend on many local factors and require local health department involvement, so because of that, a sample **PRESS** administrative procedure is not practical and does not exist. **Issue 108, November 2021**

PRESSPlus 3. *Needy students* is not defined by 105 ILCS 5/2-3.182, added by P.A. 102-359. **Issue 108, November 2021**

PRESSPlus 4. Required for districts that participate in child nutrition programs, the National School Lunch Program and National School Breakfast Program, the Child and Adult Care Food Program (CACFP), and the Summer Food Service Program (SFSP). See 105 ILCS 5/2-3.182, added by P.A. 102-359. Delete number 3 *only if* the district participates in none of the programs listed. **Issue 108, November 2021**

